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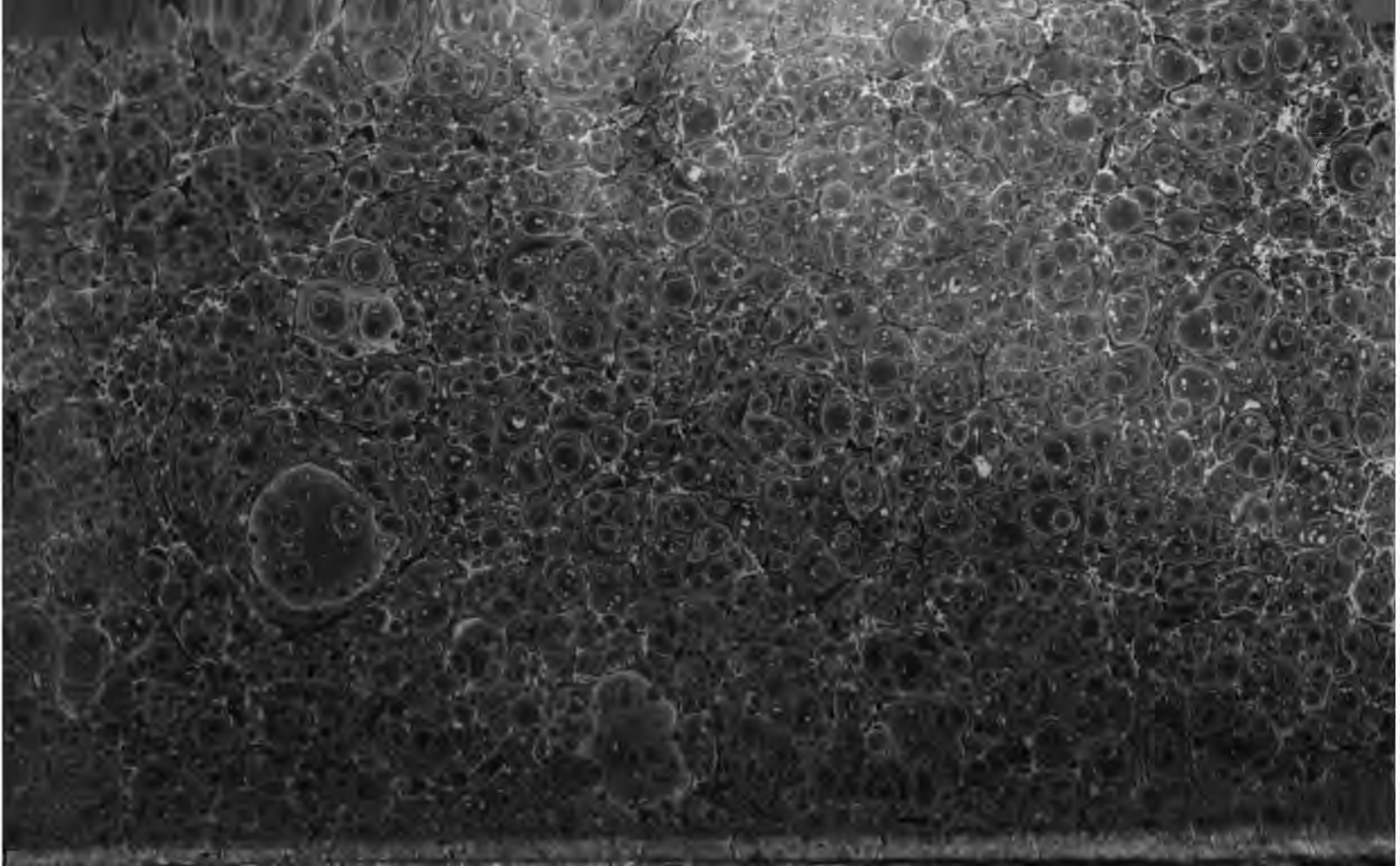

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*** In some few copies of Art. VIII. the name is printed Baker, instead of Bather.

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THE

QUARTERLY REVIEW.

ART. I.—1. *Galeries Historiques de Versailles, gravées sur acier par les meilleurs artistes Français et étrangers, avec un texte explicatif.* Par M. Jules Janin. Ouvrage publié par ordre du Roi. Fol., 4to., and 8vo. Paris. 11 livraisons. 1837.

2. *Souvenirs Historiques des Demeures Royales de France. Palais de Versailles.* Par J. Vatout, Premier Bibliothécaire du Roi. Paris. pp. 429. 8vo. 1837.

3. *Musée Historique de Versailles, gravée par les plus habiles artistes, avec un texte explicatif.* Par M. Theodore Burette, Professeur d'Histoire à l'Académie de Paris. Paris. 11 livraisons. 4to. 1837.

4. *Versailles et son Musée Historique, ou Description complète et Anecdotique de la Ville, du Palais, du Musée, du Parc, et des deux Trianons, et orné de Plans, et de Vues gravées sur bois.* Paris. 8vo. pp. 288. 1837.

THE Palace of Versailles has been for near fifty years a great embarrassment to the successive governments of France. On the one hand, they—even the Anarchists—hesitated to destroy so magnificent a public monument; on the other, they were puzzled to appropriate it to any use sufficiently important and popular to justify the expense of a complete restoration.

Both Buonaparte and Louis XVIII. appear to have entertained serious thoughts of fitting it up for a residence:—but the one was afraid to bring himself into such immediate contact with the old majesty of the Bourbons; and the other was deterred, partly by the expense of re-furnishing so immense a palace, and partly by its having become, from the change of political circumstances and social habits, less suitable for him than it had been for his ancestors, when the *Court* included not merely the royal family and their personal attendants, but all the offices of government, and a large proportion of the higher society of the kingdom. If poor Charles X. had at his accession presumed to re-occupy the scene of his birth and of his only happy days, he would have been accused of reviving the pecuniary extravagance of his youth, and of attempting to restore the *vieux régime*—of which Versailles would have been then assailed as the traditional

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type. In short, it would have afforded an excuse for renewing the violences of October, 1789, and for anticipating those of July, 1830. It remained for the good fortune, and, with some restriction we can add, the good sense, of Louis Philippe to overcome all these various difficulties, and to have restored Versailles in a style and for a purpose which—however erroneous in point of taste—have flattered the national vanity, and obtained—*for a season at least*—that class and species of approbation which—though the least valuable on matters of art—is the most important of all to the *Monarchy of the Barricades*.

There is, indeed, enough to dazzle, at first sight, even the soberest eye. The vast size of the edifice, of which the interior extent was never before visible and hardly suspected:—two leagues (*five or six miles*) as the most official of the guide-books deliberately tells us, of an exhibition spread through an *hundred and fifty* halls and galleries—where all that is not marble or gilding is covered with pictures, for the most part painted for the occasion, and affecting to recall the chief names and events of French history, from Clovis down to the present day:—All this offers, at the first glance, the magnificent realization of a magnificent idea, and the eye of the transient visitor is lost in admiration of the generosity and taste which have opened so vast a theatre of national glory and of general amusement. But when we come to examine in detail these *acres* of canvas, and find that they are only fertile in *colours*—darnel and poppy;—when we discover that all the *marble* belongs to Louis XIV., and that Louis Philippe's *marble* is *painted wood*;—when we learn that for the best part of the collection Louis Philippe has been at no expense but that of cleaning the fixed and transporting the movable objects;—and when we see that the whole is an accumulation of an incongruous, nay, discordant, character, and that the appearance of princely expenditure has been produced, in a great measure, by very economical expedients—our admiration of the result is considerably lowered, and we are led to inquire more critically into the real extent, the real objects, and the real value of this gigantic Museum.

However the expenses of Louis Philippe at Versailles may be exaggerated by flatterers, and although there is no doubt that he has availed himself largely of the old *dépôts* of his predecessors, and has done his work economically and in some points even parsimoniously, still it is certain that the cost must have been very great. We are aware that his private fortune is enormous; and that the juggle by which, on his accession, he pretended to part with it to his children to prevent its falling into the *public* domain of the crown, has still left him its real master; yet it does seem, at first sight, rather strange that so prudent a prince

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prince should spend such large sums on *barbouillages* and *colifichets*, which no one asked him for, at a moment when he found himself obliged to submit to the odium and mortification incurred by his demand of appanages and dowers for the sons and daughters of the richest family in the world.

Our surprise on this point has been increased by finding that he is carrying on similar works, and on almost as extensive a scale, in Paris, especially at the *Vieux Louvre*. We do not dwell on the *Panthéon* and the *Madeleine*, left incomplete by Louis XVI. and all his successors, and now almost, and very splendidly, finished; nor on the *Arc de Triomphe* of Neuilly, begun by Buonaparte, and at last completed; nor yet on the recent erection of the *Luxor* obelisque—the great ornamental works now in progress on the *Place Louis Quinze*—and an extensive system of restoration lately begun in the *Palais de Justice*;—because, although 'these are imperial works and worthy kings,' they are, we believe, avowedly carried on by public funds; but we do not recollect any mention either of *Versailles* or the *Vieux Louvre* in the ministerial budget. *Çela viendra*, perhaps:—but at present all these museums are ascribed to the personal liberality of Louis Philippe.

As these works at the *Vieux Louvre* have been but lately heard of even in Paris, we hope our readers will not think a slight notice of them foreign to the matter in hand:—we, therefore, copy a paragraph which has appeared in a recent Paris paper:—

'Yesterday evening (21st November), the king, the royal family, and a considerable number of distinguished persons who had dined with their majesties, visited by torch-light all the *Musées* of the Louvre, the perambulation of which lasted *above three hours*.

'They first passed through the great picture gallery and the large square room at its eastern end'—[the well-known *Gallery of the Louvre*—what follows is new]—'then passing through the Gallery of Apollo, they visited the magnificent hall (just restored) of jewels and precious vases; and the *Musées* of Vernet and Lesueur, which are on the south side of the old Louvre. They then passed along the apartments of Henry II. and Mary of Medicis, also in course of restoration, into the five saloons of the *Spanish* Museum,* which is on the point of being completed, and the eleven following rooms, which contain the *Marine* Museum.

'The company then passed through the Museum of the *cartoons* of the Great Masters, which has been definitively placed in the ancient and magnificent halls of the Council of State, situated on the side built by Jean Goujon. They then examined the new Museum of *religious pictures* which has been recently erected in the ancient *Salle des Séances*, and they finally returned by the Great Gallery. Twenty of the royal

* Gallery of Pictures collected in Spain in 1836. There is also an *Egyptian* Gallery.

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servants carried each a lantern fixed to a long pole, and furnished with a reflector of vast power, which produced as great a mass of light as a summer sunshine.

'In this visit his Majesty asked everybody's opinion—gave his own—directed one arrangement—altered another, as seemed best for the general effect.

'The crowd of amateurs, strangers, and artists that visit these new galleries is already very great. They are full every day, and the works of the great masters, and the good taste with which they are arranged, are equally admired.

'In three weeks *all* the galleries will be completed and opened to general curiosity. It will be the first time since its erection that the public will have been admitted to all parts of the Louvre.'

When our readers are reminded that the *Vieux Louvre* is that vast and lofty edifice, about 170 *yards square*, which stands beyond the great picture-gallery, and that therefore the new galleries, which occupy the internal and external faces of the building, may be *half a mile* in length, they will appreciate in some degree the extent of these new works. We can add, from a hasty inspection of a considerable part of them, that they are finished in the most costly style, and filled with choice objects of art or curiosity, as it seemed, judiciously arranged; and although much of the interior fitting already existed, and a great number of the objects were the ancient property of the Crown, yet the expense recently incurred must be very considerable.

But this is not all: there is now also constructing, and almost completed, at the other side of the Seine, on the site of the ancient convent *des Petits Augustins*, where M. Lenoir's *Musée des Monumens Français* was formerly placed, a building of great size and, we may almost say, magnificence, (though nothing like Versailles or the Louvre,) for an *Ecole des Beaux Arts*,—in fact, a museum of study and exhibition for the three great classes of the fine arts.

There was no capital in Europe which appeared less deficient in objects of curiosity or instruction in the arts, than Paris, yet what vast additions is Louis Philippe thus making! One looks for a solution of this great enigma—it is simply this—that Louis Philippe is well aware of the unsafe and precarious footing on which he stands, and is endeavouring—as Buonaparte did before him—to purchase popularity by adroit compliances and a liberal expenditure. He makes work for the artificers, that they may have less time or appetite for *émeutes*—he flatters the tastes, supplies the wants, and occupies the attention of that stirring and dangerous fraternity, the students and artists of all classes; and he conciliates by so many splendid works and exhibitions, the national vanity and—let us add—the national taste. He feels, that what the

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the poet says of all kings, is peculiarly true of those whose title is illegitimate:—

> 'Les rois sont condamnés à la magnificence;
> On attend, autour d'eux, l'effort de la puissance;
> On veut y admirer, enivrer ses regards
> Des prestiges du luxe et du faste des arts.
> Il peut, donc, subjuguer les natures rebelles;
> Mais c'est toujours en grand qu'il faut triompher d'elles;
> *Son éclat fait ses droits; c'est un* USURPATEUR,
> Qui doit triompher d'elles, à force de grandeur.'

This is true in all times and countries—so true, that we think we can discover a trace of it in our own very poor and scanty catalogue of public works. None of our kings was, both by the narrowness of his taste and his means, less personally inclined to spend money on the ornamental arts, than that *heaven-sent intruder* William III. The historians represent him as 'caring nothing about posterity,'—'having no taste for the arts,' and 'miserably distressed for money;' 'he found,' says Dalrymple, 'that a King of England must sometimes be as poor as any of his subjects;'—yet William built Kensington and Hampton Court, and thus created the only edifices that—till the last twenty years—could be called *palaces* in England!

With this clue we shall the better appreciate the extent, the precipitancy, the incongruities—the bad taste, and in fact, the *charlatannerie* of Louis Philippe's operations at Versailles. But another motive may have directed his attention to that particular palace, as the first scene of his experiments on public opinion.

Those who have watched closely the proceedings of this remarkable man well know that the insulting explanation with which M. Dupin saluted his elevation to the throne—that 'he was chosen, not *parceque Bourbon*, but *quoique Bourbon*'—rankles in his heart's core; and that 'Le Roi des Français par la force des Barricades,' with no sceptre but his umbrella, and no other coat of arms than the word '*Charte*,' longs for the *fleurs-de-lis*, and all the other attributes of his predecessors, and in his own mind considers himself as '*Louis XIX. par la grace de Dieu Roi de France et de Navarre.*' In his secret thoughts, therefore, the Palace of Versailles has both a higher and a deeper interest, than it could have had for Louis XVIII. or Charles X. To them it was nothing but a mere appendage of their birth and position—an accidental and inferior appurtenance of their crown, or, at best, the scene of early and happy recollections. To Louis Philippe, it was the '*angulus iste qui nunc denormat agellum*'—something denied to his birth, wanting to his position, and even superior

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superior to his throne—it was, as it were, his legitimacy! The Château de Versailles, though so splendidly extended and adorned by the *uncle* of his line, Louis XIV., was founded by its *father*, Louis XIII.—from whom Louis Philippe descends, at the same interval as Charles X., whose heir presumptive he may be said to have been till the birth of the Duke of Bordeaux. The *old château*, built by Louis XIII., seems to have had a peculiar interest for all the House of Bourbon. Louis XIV. sacrificed to its preservation much of the beauty and convenience of his new erections, and while these new erections were appropriated to purposes of State and the accommodation of the Court, his own private apartments, and those of the succeeding monarchs, have always been in this ancient division of the palace, which may be almost called the cradle of the modern Bourbons. It is therefore natural, and almost amiable, that Louis Philippe should feel a peculiar interest in, and a strong predilection, both political and personal, for a place which reminds the world that he is the lineal offspring of *its founder*—and a direct descendant of Henry IV. in the same degree as the exiled prince over whose living body he had stepped to the throne. We can well imagine the internal triumph with which, at the inaugural fête of the New Versailles, Louis Philippe, the maker of *things*, displayed to Dupin, the maker of *phrases*, such substantial proof that he was in the palace of his ancestors not '*quoique*,' but '*parceque!*'

But all the triumph is not internal; the very first step one makes towards the château reveals the predominant feeling. Our readers will remember that the royal Orders of St. Michael and the Saint Esprit were abolished by the first Revolution, revived at the Restoration, and again proscribed after the revolt of July; that the ancient arms of the kings of France, the *fleurs-de-lis*, were similarly obliterated; and that Louis Philippe was forced to submit to the painful degradation of effacing them from his own furniture, his own plate, and his own carriages—so that the new royal family of France were the only gentlemen in Europe who had no coat of arms. Louis Philippe has begun to take his revenge. Over the great ornamented *grille*, or iron gate, leading to the first court of the palace—which had been torn down in 1830—he has replaced the ancient escutcheon of his house, regilt and new painted in all the blazon of heraldry, and surrounded by the collars and badges of the orders of St. Michael and the Saint Esprit! If Versailles had had, like the Tuileries, a centre-tower and a flag-staff, we can almost suppose that, following out his principle of restoration, he would have hoisted the *white flag*.

But to have advanced, even as far as he has gone, required all the various talents and qualities of the king—ambition tempered

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pered by prudence—firmness guided by sagacity—a tact which discovers the opportune moment and means of popular deception, and a laxity of principle which does not disdain to employ them. He well knows the people and the passions with which he has to deal, and while pursuing his own solid objects, he affects to be anxious only to gratify their frivolous but insatiable vanity. He has been playing *Bertrand et Raton* on a great scale, and by giving to his restoration of Versailles the specious but absurd title of *Musée Historique*, and by inscribing over his porticos a flaring and false dedication, 'A TOUTES LES GLOIRES DE LA FRANCE,' he has made the nation of king-haters, king-killers, king-expellers, and king-makers, march under the Caudine Forks of his '*grille fleur-de-lisée*,' to assist at the apotheosis of Louis XIV., the restoration of Louis XVIII., and the *sacre* of Charles X.!—With what probability of permanent success, this is not a fit occasion to discuss:—but we must state—as a mere fact—that the erection of the aforesaid *grille*, with its aristocratical ornaments—(a very recent addition, and indeed scarcely yet completed)—has already excited a considerable sensation in the so-called liberal circles of Paris, and has thrown a considerable damp on the approbation with which the first sight of the *Musée Historique* had been received.

That the *principle* of this vast, and on the whole splendid work, involves a great deal of incongruity and contradiction, and that the execution exhibits many serious and many ridiculous instances of bad taste—much that is lamentable and much more that is contemptible—cannot be denied; nor—if it were really intended for what it affects to be, an *historical museum*—rationally defended;—but with the *real objects* of finding an excuse for the restoration of Versailles, of bribing the artists and artificers of the capital, and of endeavouring to conciliate the approbation of the Republicans, Royalists, Buonapartists, and Liberals, we do not know that Louis Philippe could have done better than he has done. If he had been guided by a higher principle or a purer taste, he would never have made the attempt at all on a site that involved such inevitable difficulties and incongruities; or he must have executed it in a way that would have been anything but flattering to the prejudices and contradictory pretensions of the discordant parties whom he is endeavouring to amalgamate. That the whole affair, therefore—design, execution, and all—is strongly marked with *delusion*, *rhodomontade*, and *forfanterie*, or in plain English, *trick*, *falsehood*, and *humbug*, is not so much to be attributed to either bad taste or bad judgment in the King, as to the necessity of complying with the habits of delusion, rhodomontade, and *forfanterie*, which have become the characteristics of

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of revolutionized France. But the way in which the details exhibit this general system of deception and inconsistency are both instructive and amusing.

Monsieur Jules Janin, a *litérateur* of some reputation in Paris, a flattering and favoured protegé of the new dynasty, is the selected 'historian' (p. 13) whose narrative is to accompany the engravings of the various objects of art in these galleries, and which are now in the course of publication in royal octavo, in quarto, and in folio. We have received eleven numbers of this work, of which only a very few pages are occupied with its proper subject, and these few pages contain almost as many errors and falsehoods as there are sentences:—the rest consists of old descriptions of the '*Carousels*' of Louis XIV., borrowed from common books which everybody knows, and a description of the fêtes at Fontainebleau in last April, on the occasion of the marriage of the young Duke of Orleans with the Princess Helena of Mecklenburgh, written in a style of mawkish adulation really nauseous. This silly person, in the few sentences which, in his first 160 pages, he has condescended to bestow on his proper subject, thinks that he shall exalt the merit of the king by exaggerating, contrary to notorious facts, the state of *utter dilapidation* from which, according to him, the bold and liberal hand of this great prince has rescued the palace of his ancestors. 'The Museum of Versailles,' he says, 'is the *chef-d'œuvre* of the King of the French,' and 'the most important and the most complete which has ever been raised to our national glory!' (*Prospectus*); which certainly it would be if his subsequent assertions were true—that when Louis Philippe undertook his work, the palace '*n'était qu'une vaste ruine*'—that 'le château de Versailles *était tombé en ruines*'—that 'sa toute puissance a tiré de ses *ruines* le château de Louis XIV.' That this is a gross misrepresentation will be attested by twenty accounts of Versailles published in the last thirty years,—by the tens of thousands of our own countrymen, and the hundreds of thousands of all nations, who have visited Versailles since 1814, and who all have seen its most important parts (the whole series of the grand apartments, for instance) in *precisely the same state* (except the exchange of a few pictures) as that in which they *now* appear. As this astonishing misrepresentation is placed in the very front of the official work, 'published by order of the King,' we shall expend a few lines in correcting the fiction from indisputable evidence.

On the memorable and fatal 6th October, 1789, when the royal family were forced to abandon Versailles, Lafayette and his Parisian army, (who had followed the mob under pretence of restraining, but really to encourage and protect them,)—though they

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they were too good citizens to attempt to save the King and Queen from violence and captivity, or their faithful servants from massacre—were yet strong enough to preserve the palace and even the *furniture* from injury. The only article that, we believe, was in any degree damaged by that disciplined mob of furies and butchers, was the queen's bed, the coverlids and mattresses of which were perforated by the pikes and poniards which would no doubt have been employed against her person, if the courageous devotion of two or three of the *Gardes-du-Corps* had not delayed the crowd at the first door of her majesty's apartments—just long enough to enable her to escape—in her night-dress and through a *secret door*—from her own bedchamber to the king's apartment. At a subsequent period, however, it appears that some of the objects of art in the palace (probably some pieces of sculpture sent to the Musée of the Louvre) were removed; for we find a decree of the 21st September, 1792, directing 'the *suspension* of the transport of the monuments of Versailles to Paris.' On the 20th October in the same year, Roland, minister of the Interior, obtained authority to sell the *furniture* of the palace. This seems, however, not to have been done; for M. Vatout's flimsy work tells us (and it is the only hint on the subject which it gives) that a year after, viz., 'the third day of the second month of the second year of the Republic,' (24th October, 1793,) certain representatives of the people were charged by the Convention with the duty of making an inventory of the most valuable objects in the palace, and of sending them to the Committee of Alienation at Paris. 'This inventory,' says M. Vatout, 'was made so accurately as to have included the *fish in the ponds.*' We regret that M. Vatout's appendix does not give us some extracts from this inventory, instead of an idle list of persons to whom Louis XVIII. *intended* to have allotted apartments in the palace, *if* he should ever have lived there.

It seems, however, that, sooner or later, the moveable furniture was all plundered or sold, and dispersed; but there does not appear to have been any injury whatsoever (beyond the natural effect of time) done to the edifice itself, or even any part of its interior ornaments—except here and there the erasure of the royal insignia from the doors and chimney-pieces:—*some of which are not yet restored.*

On the 17th June, 1793, the citizens of Versailles petitioned the Convention against the sale of the effects of the ci-devant Civil List in the Château. On the 8th of July, it was decreed, on the proposition of the Committee of Public Safety, made by Barère, to establish a *Gymnase Public* in the Palace of Versailles. On the 16 Floreal (5th May), 1794, it was decreed that 'Versailles, St.

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St. Cloud, and some other ex-royal residences, should be preserved and kept up at the public expense, for *the enjoyment of the people, and for establishments useful to agriculture and the arts.*' In pursuance of these decrees, 'the central school of the Department was established in the part called the Wing of Ministers,—and a manufacture of arms in the *Grand Commune* [an appendage to the palace.] The Château itself became *a Conservatory for all the objects of art* plundered from the houses of the emigrants. In it were also established a public library, and a MUSÉE FRANCAIS *of paintings and sculptures.*' (*Cicerone de Versailles*, ed. 1802.) From these extracts it will appear, that not only did the palace itself suffer no serious injury during the Revolution, but that the principle of what Louis Philippe's flatterers call his 'grand and original conception' of a *National Museum*, had been not only thought of, but actually executed so long ago as 1794. Louis Philippe, of course, must have been aware of the fact, and perhaps he is not displeased at remembering the result. The *Musée National de Versailles* was a complete failure. How could it be otherwise? What interest could the poor and scanty inhabitants of a half-deserted town take in such a museum? and, at the distance of twelve miles, what attractions could it have for those to whom the splendid collections of Paris were immediately accessible? Versailles indeed was still visited and admired—not for its paltry museum, but for its superb palace and its glorious and touching recollections: such we think it possible may be also the issue of the present gigantic attempt; and it is a result which we doubt whether Louis Philippe does not contemplate with internal satisfaction; it would leave him master of the house of his ancestors, which he durst not have entered without some popular pretext. But be this as it may, we have a strong suspicion that—when the first burst of curiosity which had been so artfully and so generally excited about the new works shall have subsided and when the public has had leisure to see what they really are—all these acres of scene-painting will not excite more interest or even attract more visitors than did the really historical scenes—the fine and appropriate paintings and statues,* —and the vast and somewhat melancholy majesty of the ancient palace of the legitimate kings. The popularity of the *Musée Louis Philippe* may be as ephemeral as that of the *Musée Barère!*

But though during the Republic the edifice was preserved from violent injury, it seems to have received no substantial repairs; these were, however, undertaken on the necessary scale

* The best and most rational of the guide-books, that of M. Vaysse de Villiers (1827), states of Versailles as it was under Charles X., that '*le château est lui même un veritable* MUSEUM *de peinture*,' p. 234.

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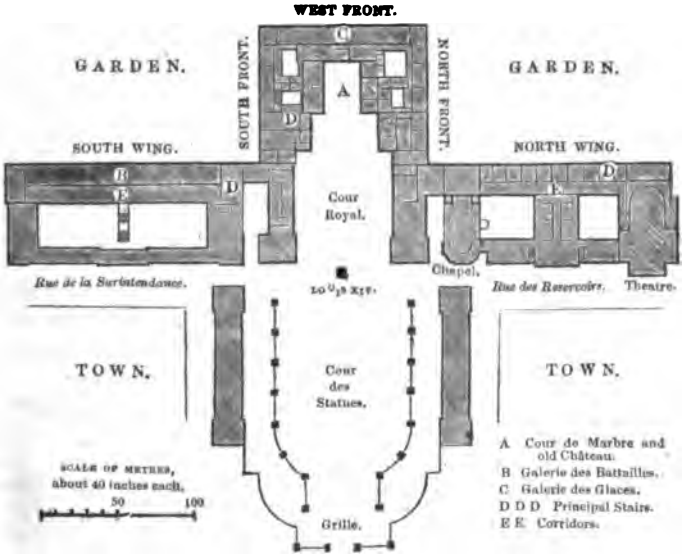
by Buonaparte about 1804: on this object he expended at least 3,000,000 of francs (120,000*l.*), and 'in 1814 handed over Versailles to its legitimate proprietors in,'—as a royalist author quaintly expresses it,—'good repair, as between *tenant and landlord.*' Subsequent to the Restoration, Louis XVIII. and Charles X. spent successively 6,000,000 francs (about 250,000*l.*) more in repairs, preservation, and embellishments, and even in some considerable additions;—for instance, one of the two wings on whose façades Louis Philippe has inscribed *A toutes les gloires de la France,* was built by Louis XVIII., to match the opposite wing, which had been renewed by Louis XVI. In short, so far is it from true that Louis Philippe had, according to his historian M. Jules Janin, to rebuild a *ruin,* that we can venture to assert that he has had nothing to build—nor even, we believe, any substantial repairs to make: and we repeat, that, if we can trust our own recollections, assisted by the evidence of the successive guide-books, he has not even given a stroke of the brush or an inch of gold leaf to those three or four vast suites of state apartments, which did and still do constitute the greatest glory of Versailles. So much for M. Jules Janin's fabulous *ruins!*

Before we proceed farther, we shall present our readers with a diagram, by the help of which they will be able to follow, with the less difficulty, our observations on this vast and very irregularly distributed Museum.



On entering the great court, or rather *Place,* which precedes the

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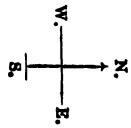
the palace, the visitor is struck by an exhibition which affords an excellent specimen of the mixed magnificence and meanness—the pompous design and cheap execution—the bold and generous promise, and the imperfect, confused, and contradictory performance, which have presided over the whole work and are equally visible throughout. This court, from its great and unbroken extent, had always appeared somewhat tame and monotonous, and looked rather like a *place d'armes* than the approach to a palace. It had been attempted to remedy this defect by a kind of terrace and ballustrade carried along each side, in front of the lateral buildings; but these parapets were too low to have much effect on the eye, and they could not have been raised higher without obscuring the buildings. Louis Philippe has overcome these difficulties, and given to the approach a dignity it never before possessed, by a simple yet very noble device. He has raised on massive pedestals, placed at regular intervals along the low lines of the old ballustrades, sixteen colossal statues, eight on each hand, of the heroes of France of all times; and it is on the façades of the wings to which these two lines direct the eyes and the steps of visitors, that he had doubly inscribed *A toutes les gloires de la France;* while—between these two façades—at a point which divides the lower court from the upper, and forms the perspective of the three great avenues which lead to Versailles from St. Cloud, Paris, and Sceaux, and of the two streets which lead on each side from the town to the palace—has been placed an almost colossal bronze statue of Louis XIV. himself. Nothing can be more appropriate or more noble than this arrangement, and the effect to the eye is exceedingly fine. It overcomes several local difficulties, it exhibits and improves all the local beauties, and the grand approach to the Historic Palace is in perfect harmony with its site and its purpose.

The *eye* is, at first, perfectly satisfied—but when you stop a moment to examine the details, they betray such incongruities and parsimony, as to become almost ridiculous.

In the first place, the selection of the statuefied persons seems strange, or at least capricious; and the absolute defiance of all chronology in which they are placed is not quite in character with an *historical* museum. This is the arrangement:—

Condé, who died in		1686.	Turenne, who died in		1675.
Duquesne	„	1688.	Dugay Trouin	„	1736.
Suffirein	„	1788.	Tourville	„	1701.
Mortier	„	1834.	Massena	„	1817.
Lannes	„	1809.	Jourdan	„	1833.
Sully	„	1641.	Colbert	„	1683.
Dugueslin	„	1380.	Bayard	„	1524.
Suger	„	1152.	Richelieu	„	1642.



Suger

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Suger—Duquesne—and *Jourdan!*—'Wat Tyler, Heliogabalus, and Jack the Painter.'

Why this pell-mell of names and this disorder of dates? We certainly cannot account for the arrangement—but we think we can for the choice of the subjects. The king happened to have the statues *ready made!* Twelve of them stood on the Pont Louis XVI. (called *de la Concorde*, ever since the day that concord vanished from France), which they disfigured by their disproportionate size and extravagant attitudes;—and the king's parsimonious good taste has transferred them to the front court of Versailles—where, there being room, as it were, for such gigantic attitudenizing, they are, as to the general effect, admirable. But these twelve ready-made statues from the bridge comprised, unfortunately, no heroes of the Revolution—a mixture of whom seemed absolutely necessary to the king's design of uniting all *glories*—that is, all *opinions*. Here again good luck came in aid of economy. Buonaparte, before his fall, had ordered and *paid for* statues of four of his deceased generals. The very thing wanted!—up with them! Not so fast—the names of Hervo, Despagne, Colbert, and Rousselle, were not quite distinguished enough for such a position, and artists were therefore employed to change, by a slight chiselling of the features and some mutilation of the attributes, Hervo into Mortier—Despagne into Lannes—Colbert into Massena—and Rousselle into Jourdan! And these ridiculous metamorphoses—as fabulous as those of Ovid—are the preludes to the *historical* gallery of all the glories of France! One merit they have:—if a new Revolution should desire to give a different colour to the glories of Versailles, a royalist chisel may easily transmute them into Moreau, Pichegru, Charette, and La Roche Jacquelein; or a republican hand into Maillard, Fournier, Henriot, and Santerre! They are '*statues to let.*'

What follows is almost as ridiculous. At the upper end of these two lines stands, as we have already said, a bronze equestrian statue of Louis *Quatorze*, which, at first view, looks worthy of the commanding site which it occupies, but on approaching it you perceive that there is a slight disproportion between the horse and the rider. No wonder—for here again is a piece of thrifty patchwork. During the Restoration, it was intended to have erected an equestrian statue of Louis *Quinze* in the *Champs Elysées*, but Cartellier, the sculptor employed, died, having only finished the *horse*, which (with a *few* still more valuable articles) became the property of Louis Philippe by the revolution of July. There was also discovered in the royal magazines a statue of Louis *Quatorze*

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Quatorze by Petitot.* Economy has a shrewd memory—these separate objects were recollected—and the *figure* of Petitot was set astride on the *horse* of Cartellier, and both—thus unexpectedly united—constitute the '*superbe statue equestre de Louis XIV.*,' which makes so fine an effect in the perspective of the Cour Royale, and so false a one in the pages of the 'historian.'

We have dwelt at some length on the merits and defects of this approach, because they are characteristic of all that follows—consistent alone in inconsistencies. It must be admitted that Louis Philippe follows even to the letter the classical precept,

——————— 'Si audes
Personam formare novam, servetur ad imum
Qualis ab incepto processerit et sibi constet.'

The travesty of the generals, and the patchwork of the equestrian statue, are in perfect keeping with the works of the interior:—to which we now proceed.

The palace of Versailles consists of the old small château of Louis XIII., which surrounds the *Cour de Marbre* (A), behind and round which Louis XIV. erected three sides of a square, which advance into the garden somewhat in the style and manner of that part of Hampton Court with which William III. surrounded the old palace of Wolsey; but Versailles has—what Hampton Court has not—two immense *wings* stretching to the north and south; and behind these wings are the chapel, theatre, and all the domestic offices of the palace. At right angles with the back of the wings, and in the same direction as the lateral sides of the old château, are two other buildings—called '*Ailes des Ministres*'—which border the great court of statues—but as the domestic offices at the back of the wings and these lateral buildings form no part of the New Museum, we only mention them for the better explanation of the general plan. The Museum occupies the old château, enclosing the Cour de Marbre, and the whole of the garden front—main building—and wings—together with the corridors behind the wings (E E), through which, when the various apartments were occupied by the attendants of the Court, the domestic communications were carried on. The rooms of the old château were the private, or rather the ordinary apartments of the sovereign. The

* We confess our ignorance of *Petitot the sculptor*. We do not find the name in any of the catalogues of *sculptors*—nor do the guide-books, which mention him as the author of this statue, say anything more about him. We presume that he was one of the Petitots of the age of Louis XIV., though one of the guide-books, as if to conceal the real history of this *combined statue*, while it acknowledges that the man was modelled by Petitot and the horse by Cartellier, represents *both* as having been cast (*fondus*) by one Crozatier—a living founder—as if they had been one work—which is totally untrue.

three

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three fronts of the centre building contained—on the first floor the State Apartments, viz. seven rooms on the north side—on the west, the magnificent gallery called the Galerie des *Glaces*, because its seventeen windows were repeated on the interior wall by as many mirrored arcades—and six rooms on the south side. The wings were each three stories high (one an attic), and contained on each floor twelve or fourteen rooms, of various but in general of comparatively small dimensions, in which were lodged the several followers of the Court; and the domestic service and communications of these lodgings were performed by, as we have just stated, means of a corridor on each floor, in rear of the apartments,—which corridors are now the galleries of sculpture. The *total* number of galleries and rooms occupied by the Museum is *one hundred and fifty-two!*

The first observation which strikes one on the *prima facies* of the whole plan, is, that it seems to partake sadly of the *make-shift* system to place a great *national museum* in an edifice built for *domestic* purposes. When *all the glories of France* were to be suitably lodged, the glory of French architecture should have been invited to erect them a suitable habitation, instead of *quartering* all the historical personages of France, as if at random, in the apartments destined for ordinary inhabitants:—Clovis and Dagobert in the bed-chambers of the maids of honour—Queen Blanche in the dressing-room of Philippe Egalité—Duguesclin in the corridor with the necessary women—Joan of Arc amongst the *frotteurs* and footmen—and Francis I. and Henry IV. in the garret. We do not say this merely in reference to the *nominal* absurdity—though that is something in a palace where all the domestic names, uses, and traditions are still fresh in every book, and almost in every memory—but because the size, shape, and lighting of apartments destined for domestic and familiar purposes can never be fit for the exhibition of enormous pictures;—the room that served very well for Madame de Montespan to make her *toilette* is heinously unsuited for 'Charlemagne delivering his capitularies,' on twenty square yards of canvas.

If a great king and a great nation cannot afford to build a suitable receptacle for great pictures of their history, they had better let the matter alone, and not contrast the vanity of their pretensions with the penury of their means. But there is a part of the palace to which these objections are less applicable. We mean the royal and state apartments of the centre. They were built for display, and in their ancient state 'exhibited,' as M. Vaysse de Villiers says, 'a magnificent museum of paintings.' Yes; but, fortunately for his taste, and unfortunately for his consistency, Louis Philippe has left all these suites of apartments just

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just as he found them (except a few changes of the pictures and of one or two statues) in the undisturbed possession of their ancient masters, Louis Quatorze and Louis Quinze, and has *billetted* the new-comers—the *regiment* that has just marched in —as thick as three in a bed, in all the inferior nooks and crannies of the edifice.

It seems to us, that in thus crowding some hundreds of historical pictures into some dozen of domestic rooms, Louis Philippe has not only committed a great blunder, but lost a great opportunity. It appears never to have occurred to him, that an historical gallery need contain anything besides pictures and statues—or that he could have furnished his rooms otherwise than by battle-pieces painted, it would seem, by contract, to cover the walls. How much more curious and interesting would it have been, if some of these suites of smaller rooms had contained, in chronological succession, specimens of the *other arts*—of the books, the manuscripts, the instruments of music, the household furniture and utensils, the dress, the jewellery, the carvings, the arms, the armour—in short, of all the details of domestic and social history of the successive ages. A series, for instance, of the pannellings —the hangings—the stamped leather—the arras—the tapestry—the damask, with which it has been the fashion to line the walls of apartments, would have occupied a dozen of these rooms more curiously and instructively than any equal extent of fabulous fights. We might have had the halls, saloons, parlours, bed-chambers, boudoirs, and cabinets, of different classes, in each succeeding age. And such a museum might have been amply provided for in the smaller apartments, leaving enough, and more than enough, of space for contract-painting and fancy-statuary. It is the more surprising that Louis Philippe had not thought of this addition to his plan, as he really has been put to his wit's end to fill his rooms; and he must have been well aware that something of this kind is done at Naples with the objects of ancient art or utility discovered at Pompeii. He had also before his eyes the *Hôtel de Cluny* in Paris—where a private gentleman (the Baron de Sommerard), who happens to possess that ancient house, has furnished it with a most curious, and, for a private one, valuable collection of specimens of the domestic arts, habits, and manners of former times. If the two suites on the ground-floor of the wings of Versailles were to be so occupied, the museum would be doubly enriched—first, by the absence of all the *barbouillage obligée*—and secondly, by the addition of what we think might be made the most interesting historical exhibition in the world.

Louis Philippe has shown that his own taste is not satisfied with the general pell-mell and squeeze of these nests of *musées*, and

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and has made one exception which—though objectionable as a precedent of demolition—is fine in its effect. He has gutted the whole first floor of the south wing, and thrown the fourteen smaller rooms of which it was composed—(as its ground-floor still is)—into one great gallery (B), which he modestly calls *La Grande Galerie des Battailles*, but which, as M. Jules Janin predicts, public gratitude will call the *Galerie Louis Philippe*. We may give the passage as a short specimen of the style and accuracy of this *selected* historian, who had the honour, he tells us, of being one of the favoured guests at the great inaugural fête. After mentioning something of the chapel, the theatre, and the great gallery of the old Versailles, he says—

'But that which is beyond all this magnificence is the *Galerie des Battailles*. This gallery has been discovered (*trouvée*) by King Louis Philippe in a crowd of *little dark apartments which King Louis XIV. had probably never heard of*. It is 184 feet longer than the old gallery of Le Brun [*des Glaces*], of which Louis XIV. and his *siècle* were so proud. The king calls this gallery *La Galerie des Battailles*. The gratitude of France (*La France reconnaissante*) will call it *La Galerie Louis Philippe*. In this magnificent space the king has brought together all the great battles of our history *in admirable confusion!*'—p. 14.

The merit of *discovering* a gallery by throwing a suite of rooms together, does not seem to us so vast as to justify such an enthusiasm of national gratitude: nor do we quite approve of the pulling Versailles to pieces to accommodate it to the whim of the day. But we are amused at finding the suite of apartments thus destroyed called 'little dark rooms which Louis XIV. never heard of.' Why, they were, after the state apartments, the very best of the palace, and were the habitual residences of the heirs apparent and the other royal children. A portion of them was last inhabited by the Comte d'Artois; and so ridiculously ignorant and inconsistent is the flattery of M. Jules Janin, that we find him eulogizing that portion of the Museum which happens to be placed on the *ground-floor*, under what he supposes to have been on the first floor 'little dark rooms.' M. Jules Janin's opinion that '*confusion*' is an '*admirable*' ingredient in a French *Historical Gallery*—supported as it is by this great example—it is not for *us* to controvert; but we must observe, that it is not at all necessary that public gratitude should come in aid of Louis Philippe's modesty by calling this Gallery of Battles after his name; for all His Majesty's modesty has not prevented his taking very good care of himself. Not content with figuring, in all his *phases*, in various parts of the collection, he has, contiguous to this very Gallery of Battles, formed—also out of several smaller ones—the next largest room in the Museum for the celebration of his own personal glory—as we shall see presently.

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In spite, however, of the applause of Messrs. Janin and Vatout, this *Galerie des Battailles* is a very fine room, though finished, as to its accessories, in what we consider a very indifferent and certainly a very discordant taste. It is, we are told, about 400 English feet long, and about 40 wide, and contains in thirty-three large pannels the representation of thirty-three battles, from that of Tolbiac, A.D. 496, to that of Wagram, A.D. 1809. As not only this gallery, but the majority of the rooms in the Museum are filled with pictures of this class, we must be allowed to remark that nothing can be, in our opinion, less historical than a battle-piece—particularly battle-pieces like twenty-five out of these thirty-three—of which the painter never saw the ground nor the persons, nor had any other guide than his own invention, or, we should rather say, his own want of invention. Nothing can be so weary and monotonous as the whole of these colossal pictures —the brown horse, and the grey horse, and the black horse, in every possible action and attitude, except their natural paces—the eternal hero quite steady and at his ease on a *horse-quake* which would unseat Ducrow—the eternal aide-de-camp on the back of an equine Taglioni, receiving orders as quietly as if he had under him an ordinary beast standing on four legs—the eternal drummer or trumpeter in the corner of the picture, beating or blowing as if he had not been killed an hour before—and the dead and wounded lying about in fore-shortened heaps, and looking—the dead especially—with confidence and gratitude to the hero—who is trampling them under his horse's hoofs as if benevolently anxious to put them out of further pain.

From this general absurdity and nonsense we recollect in this *Galerie des Battailles* but *three* exceptions—two by M. Horace Vernet (*facillime princeps*, we think, of these battle-painters), and one by M. Couder. In one of the former, which is called the Battle of Jena, the incident represented has no peculiarity of *that* battle, and might have happened on a review at the Tuileries. Buonaparte, accompanied by two aides-de-camp, is startled at an over-zealous exclamation from a young soldier in the rear-rank of a battalion. The Emperor turns on him a look of severe surprise, and the wonder and curiosity of the aides-de-camp at such a breach of discipline and respect are naturally and happily given. The other of M. Horace Vernet's good pictures is the battle of Fontenoy at its close, in which much of the usual jargon of a battle-piece is redeemed by the beautiful and graceful figure of Louis XV. receiving the English prisoners, and by an episode in which a young officer, escaped from the dangers of the day, throws himself up into the arms of his father, a general in the king's suite, and is actually lifted from the ground in an ecstatic embrace.

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embrace. M. Couder's picture is also Louis XV., in all his youth and grace, receiving Marshal Saxe after the battle of Lawfelt; and the whole composition is natural and pleasing. We are inclined to suspect that it was a little family partiality in Louis Philippe to contrive that the two best pictures in the gallery should represent Louis XV., and should afford such an agreeable contrast to the flutter and falsehood of all the earlier battles, and to the hard, cold affectation of all those of Buonaparte—excepting only Vernet's incident at Jena.

There is one room which precedes the Gallery of Battles, which has excited the greatest interest in France, and which really has (and it is almost the only one in the whole series which has) something of a true historical character: it is that of seventy-two portraits of the Generals of the Revolution, in the *looks*, ranks, and uniforms in which they appeared in 1792. There we see Buonaparte as a lieutenant-colonel of *Corsican local militia**—Soult and Junot with the worsted epaulettes of serjeants of foot—the King of Sweden as a sub-lieutenant, and Louis Philippe himself, as *Egalité fils*, in the army of Dumourier. But even this collection, which seems to promise something like the interest of reality, is deteriorated and degraded by the besetting sins of the whole Museum—inaccuracy of design and poverty of execution. The majority of the portraits, though of men of our own time, are fictitious—not to say fabulous. These sub-lieutenants, serjeants, and soldiers, had never been painted at that day, nor in these costumes; but the painter being furnished with a bad picture of an old weather-beaten marshal, strips him, as well as he can, of his wrinkles and his embroidery—gives him the fresh complexion of nineteen and the uniform of a corporal, and then, like the mill that grinds old men young, turns him out—no more like the real lad of 1792 than he to Hercules.

We may be told that this was the best that could be done. We deny it—in an historical gallery, and particularly in a class which pretends to exactness and truth, it is better to do nothing than to do what is false. This objection, however, does not apply to the whole series, many of them being, no doubt, *copies* of real portraits; but another does affect almost all of them as objects of art—they are miserable paintings, and when the spectator comes fresh from some ancient portraits in the state apartments and in the north attic (which we shall mention presently), it is impossible not to be struck by the heavy declension of modern France in

* Why not as *what he was*—a *Captain of French Artillery*? to which rank he was promoted on the 2nd February, 1792. (See Quar. Rev. vol. lviii. p. 488.) His command of a battalion of militia in Corsica, towards the close of that year, was merely accidental and momentary. Is this a touch of royal malice to remind the spectators that Buonaparte was only a '*Corse*'?

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this branch of art. We suppose there is no one room in the world—perhaps not even the annual exhibitions of either London or Paris—which contains, in proportion to its size, so many execrable portraits as this *Salle de* 1792, as it is called.

The third room, at the end of this floor, is that to which we have already alluded, as having been enlarged by Louis Philippe for his own especial glory—here are the scenes of August, 1830—the Palais Royal, the Hôtel de Ville, and the Chambers—where Louis Philippe appears accepting that citizen-kingship, which he seems to have so completely transmuted—from the hands of the men, whom he has as completely discarded. The French people should be fond of this room, for it is almost all they have left of their 'Three Glorious Days;' and we suspect that whenever any changes shall be made in the Museum, this room will be one of the first which will suffer. Even already it seems a derision; and although the pictures are and will always be (*if preserved*) curious as assemblages of real portraits and as records of real events, we suspect that most of the personages represented—not excepting M. Lafitte himself—are already heartily sick of looking at them.

We have been the more particular in noticing this gallery of battles and these two rooms, because it is evident that they are looked upon as the *chef-d'œuvre* of the whole *Musée*, and are those in which alone Louis Philippe seems to have made any serious alteration from the former distribution of the palace.

We must now return to the three series of rooms—two on the ground and first floors of the north wing, and one on the ground-floor of the south wing, under the *Galerie des Battailles*—which constitute the great body of the Museum. *Each* of these series, of between 300 and 400 feet in length, consists of a dozen or fourteen rooms. Every inch of them, except only the doors and windows, is covered with paintings—so that they may altogether exhibit near 4000 running feet of painted canvas—exclusive of the rooms and galleries we have already mentioned, and of at least 1500 running feet in the rooms and galleries of the north attic, which we shall specially notice hereafter. We understand, moreover, that a similar operation is going on all along the ground-floor of the three central fronts (to which the public is not yet admitted), and which contain, or are to contain, a series of portraits of Marshals and Admirals of France—scenes of the Crusades—and we know not what—to the extent of above 3000 feet more of canvas-covered wall. We may be thought very dull and very ungrateful, but we own we are satisfied, even to repletion and weariness, by above *a mile* of actual painting at which we have been already admitted to wonder.

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The series which visitors are first directed to see, is that commencing at the vestibule of the chapel. This chapel is a most gorgeous and beautiful piece of architecture, into which the visitors are permitted—and very properly—only to *look*, and which seemed to us in nearly the same state in which we saw it under Louis XVIII.—contradicting the insinuation endeavoured to be conveyed in M. Jules Janin's expression, when he says, in enumerating the works of Louis Philippe—

'And finally the Chapel Royal is replaced in the same state (*rétablie*) as when *Massillon preached his Petit Carême*—all the magnificences of the chapel having been restored to their original splendour.'—p. 14.

This 'historian of all these wonders,' (p. 13) seems to know no more of the history of literature than of that of Versailles. The chapel is, as we recollect, nearly, if not exactly, as Louis XVIII. left it; and the *Petit Carême* (which we doubt that M. Janin ever read) was *not* preached at Versailles. Louis XV. was removed from Versailles on his great-grandfather's death in 1715, and did not return to that residence till 1722, and Massillon preached his celebrated series of sermons, called *Le Petit Carême*, at *the Tuileries in* 1718. It must be confessed that the *Musée Historique* could hardly have found in Europe a more appropriate historian than M. Janin!

We shall now proceed to give our readers some local details of this first series of rooms—(on the ground-floor of the north wing)—by which they will be able to imagine all the other suites, and to appreciate their fitness and effect as picture-galleries.

This suite consists of eleven rooms, of the average length, as the plan of the palace seems to indicate, of about twenty-five feet each; a couple of the rooms are somewhat longer, and some others of course proportionately smaller. Two of these eleven rooms are lighted by three windows, two by one window, and the rest by two windows each. On their walls are impannelled in flat narrow borders, as close as they can be placed, from the ceiling to the sur-base, and from door-frame and window-frame to door-frame and window-frame, obliterating even the fire-places, 214 pictures of a series called *Historical Pictures from Clovis to Louis XVI. inclusive.* Of these some are so large as to fill the largest sides of the largest rooms with figures of at least the size of life; and in several rooms, each of the walls is filled by one picture. Our readers will at once judge of the disproportionate effect between these extraordinary-sized pictures and these ordinary-sized rooms. But if 12 or 14 pictures occupy so much of the space, where are the other 200 placed? The majority of the other 200 are small oil sketches, painted—two—three—four, or even five—on the *same strip* of canvas, separated by

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by arabesque borders (such as one sees on the pannels of the playhouse boxes), and stuck between, or at the sides of the windows (where they luckily are hardly visible on the brightest day), or into the narrow vacancies which the size and shape of the larger pictures may happen to leave here and there on the other walls. To the obvious defects of this arrangement—the overwhelming effect of the large pictures, and the imperfect light of most of the small ones—there is still another to be added. There are several of Vander Meulen's pictures mixed with the more modern part of the series: these, as our readers know, are generally very large landscapes with very small portrait figures, and these small portraits are the great value of the pictures. Now as these pictures, though large, are yet not large enough to cover the whole wall, they are generally raised up to a height at which the little portraits become invisible, in order to leave a strip of space below, into which a frame of arabesque sketches may be fitted. So much for the arrangement of the paintings—now for their subjects. They are called *History*—which they may be, if Borgognone can be said to have painted *history;* for of the 214, there are but 70 which are not battles or sieges—so that it is not for nothing that the great gallery, before described, is called 'La *Grande* Galerie des Battailles;' for almost every room in the Museum is a *petite* galerie des *battailles:* and in the series now under consideration we have *two* more battles of Lawfelt and *three* of Fontenoy. This is, no doubt, intended to flatter, and it may amuse, the army—(though we doubt even this)—but it is certainly not very interesting as art, nor very instructive as history.

Louis Philippe, aware of the unfitness of these suites of rooms for the purposes to which the original error of his plan has forced him to apply them, has, with his usual ingenuity, endeavoured to alleviate the difficulty by allotting to each apartment a particular period of history, and to each room something like *contemporaniety* of events. Thus, the first suite comprising, as we have said, from Clovis, A.D. 496, to Louis XVI.—the first room comes down to St. Louis (1270)—the second room to Charles VII. (1461), and so on. This plan, however, is still subject to great difficulties, because, although Louis Philippe could order as many pictures and of such sizes as he pleased, yet he has found it impossible to match the capacity of each room to the dearth or fertility of each allotted period. Thus, Louis XIV. occupies two rooms and *a half*—Louis XV. two rooms and *a half*—while the reign of poor Louis XVI.—the most fertile of all, one would have thought, in historical subjects—occupies one small wall, with four bad and very insignificant pictures. There is, however, one detail of the arrangement which, though trivial in itself, produces a satisfactory

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a satisfactory effect. In each of the twenty-two compartments over the two sides of the eleven doors, are placed copies of authentic portraits of the kings in whose reigns the events occurred: this is an obvious, yet felicitous idea—and though it is not, and cannot be, completely followed out, it does give a certain air of order and history to the miscellaneous collection.

In order to follow the chronological order, (which, however, the prescribed order of march does not,) we must next proceed to four small back rooms of the first story, between the centre and the south wing, in which the *history* of France is carried on by representation of forty-four of the *battles*—there is nothing else—of the years 1792, 1793, 1794, 1795.

This kind of *history* is continued from 1796 to 1835, in twelve rooms on the ground-floor of the south wing, and in ten rooms on the first floor of the north wing—of which two-and-twenty rooms *Buonaparte* occupies *nineteen* with his ceremonies and battles: one is dedicated to Louis XVIII., and one to Charles X. In the latter there is, amongst others, a very large, and in our judgment, very bad picture of his coronation, by Gerard—an execrable one of a review of the National Guards of Rheims, by Gros—and a good one by Horace Vernet of a similar review at Paris, with strong resemblances of Charles, and of the Dukes of Angouleme, Bourbon, and *Orleans!* The fault of this picture is the superior excellence and extraordinary force with which the king's *horse* is painted, which makes the *horse's* head the chief countenance in the piece, and throws even his rider into the shade.

The last room of this series is dedicated by Louis Philippe—in addition to the great room in the south wing already mentioned—to his own personal history. We have had him, as we have already said, in all his *phases*—infancy—boyhood—youth—manhood—maturity—and under all his denominations—Duc de Chartres—*Egalité the younger*—Duke of Orleans—Lieutenant-General of the kingdom—and finally, in this great room, as King of the French. This superabundant glorification of himself reminds us of an anecdote which we almost wonder that Louis Philippe, who is a good English scholar, should have forgotten. When Prior was secretary of King William III.'s embassy in Paris, and 'was one day surveying the apartments at Versailles, being shown the victories of Louis, painted by Le Brun, and asked whether the King of England's palace had any such decorations—"The monuments of my master's actions," said he, "are to be seen everywhere but in his own house."'—(*Johnson's Life of Prior.*)

But we really believe that it is not so much personal vanity as policy and a compliance with what he thinks the taste of his people,

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people, which prompts Louis Philippe to this display. A more undoubted specimen of personal vanity seems to us equally pardonable: no one can see the various portraits of Louis XIV., which are exhibited in every part of the palace, without being struck with the great personal resemblance of Louis Philippe to his great ancestor,* and we cannot much complain if *at Versailles* he displays some hereditary ostentation. But he has treated Buonaparte still better, and no doubt from the same compliance with the public taste; for not only has he given him seven rooms of one series of the History of France, but he has honoured him with two great rooms, one called the *Salle de l'Empire*, which contains, *inter alia*, the great picture of his coronation, by David, and the other, the *Salle de Marengo*, where is seen David's other celebrated picture of the First Consul mounting the Alps on horseback. And he has, moreover, appropriated to his achievements the twelve rooms which form the suite of the ground-floor of the south wing, and which are filled with the Consul's battles, and the Emperor's battles, and with nothing but battles—of which we are so weary and sick, that we can bring ourselves to add but one word to the general remarks which we have already made on that class of pictures, which is, that this last series seems to us to be, in point both of interest and art, even below, if that be possible, the extravagant insipidity of the rest.

But we have a still more serious objection to this latter class, where are recorded and, as it were, canonized—'*consacré*' is the expression of the catalogue—the worst excesses of Buonaparte's insanity of ambition;† which, instead of being thus revived as subjects of national glory, ought now to fill France with remorse, as

* Though Louis Philippe does not descend in the *male* line from Louis XIV. but from his brother, he descends directly from him through the *females*.

† Two instances of audacious perversion of all historical truth deserve to be signalized, as highly discreditable to Louis Philippe, who has given his sanction to such impudent falsehoods. The *first* is the fable of Buonaparte's charitable visit to the '*Pestiférés de Jaffa*' (No. 655), whom, on the contrary, it is now admitted—confessed—that he *poisoned*. Hear the evidence of M. Martin, *Membre de la Commission des Arts et Sciences d'Egypte*, in his *Histoire de l'Expédition d'Egypte*. 'Buonaparte, unable to remove the immense numbers of sick and wounded, which a bloody siege and a dreadful disease had accumulated in Jaffa, proposed to Desgenettes, chief physician to the army, to administer to those wretches poison in the shape of medicine. Desgenettes shrunk with horror from this proposition, but Buonaparte afterwards employed an inferior officer of that department, and by his means he perpetrated the crime.' Martin, *Hist. de l'Expédition d'Egypte*, vol. i. p. 315. M. Miot gives the same account; and Buonaparte, when he could no longer deny the charge, confessed that he had proposed it to Desgenettes, but he thought to attenuate the guilt by adding, that Desgenettes refused, and that, after all, there were but *seven* persons to be sacrificed. If the *number* made any essential difference in the case, we think that we could show that there were nearer *fifty times seven*.

The second instance is a tawdry picture of Buonaparte gallanting the queen of Prussia at Tilsit with all the airs and graces which the painter could confer on

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as they did formerly with misery and mourning. We find here a room to celebrate the atrocious invasion of Spain. How can Louis Philippe reconcile with his honour and his conscience this adulation of an aggression to repel which he himself escaped from Sicily to Spain, to offer his talents and his blood? Or, if he has chosen to forget his own personal opposition to these horrors, (which supposition is rendered less improbable, when we remember that the Duke of Orleans was very desirous to supplant his cousin, Ferdinand VII., as the Bourbon King of Spain,) and if he has been induced to exhibit some of '*the iniquitous projects of the* CORSICAN USURPER,' (these are, as we shall show presently, *Louis Philippe's own words*,) why has he concealed so carefully the awful lesson of final and retributive justice? Why, when some paltry and miserable incidents of that great drama are recorded, why is the astonishing catastrophe—the providential vengeance of outraged earth and insulted heaven—sponged away from the fraudulent tablets of this pseudo-history? We venture to tell Louis Philippe that he has totally defeated his own object by this mean calculating compromise. It now only disgraces—by and bye it will endanger him; and the spirit of selfish aggrandisement, of cruelty and of treachery, which he has thus *enshrined* at Versailles, will, in the end, make him feel the baneful influence and fatal effects of this hypocritical alliance between the fraud and force which subjugate and disgrace a people, and the servile flattery which intoxicates and inflames them. With such incentives as these galleries seem meant to afford, we shall be surprised if we do not hear of more insurrections of Strasburg, and more mutinies of Vendome. Louis Philippe's best chance is, that the paintings of this class are so bad that they may probably suggest nothing and stimulate nobody. But all this will appear in a still stronger light by and bye. We now return to the arts.

The whole of the enormous mass of *paintings*, which we have thus hastily glanced over, are (with a very few and insignificant exceptions) of the modern French school, and the majority have been *done*—we almost suppose by contract—for this very exhibition. We have not, on this occasion, time or space to enter into any detailed opinion as to the merits or defects of that school—still less into those of the different artists, and least of all, of the individual pictures. No doubt we may say of this collection, what may be said of any such assemblage—

'Sunt bona, sunt quædam mediocria, sunt *mala plura*.'

But although very few of the pictures even pretend to genius,

on so ungracious a personage;—the *Queen of Prussia!*—whose character he had libelled, and whose heart he broke! And these adulatory attempts to varnish over brutal atrocities are displayed in the Musée of *all the glories of France!*

we

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we admit that there is a great deal of cleverness, and a wonderful activity in the manufacture, and that no other nation—not, perhaps, all the nations in Europe—could have produced the same quantity, and so tolerable, within the same time. We have been delighted with a few specimens, and pleased with many more; but—what are they amongst so many?—and if, after having gone, with great perseverance and all possible patience, through the whole, we were asked for a summary opinion of the school, as it exhibits itself in this collection, we should be obliged to lament, as its general characteristics, the tame extravagance of its designs, and the florid penury of its execution.

But there are still two large classes to be mentioned, which do not belong to the modern school:—a miscellaneous collection of portraits of all dates and nations, which are arranged in the attic of the north wing—and the pictures of the age of Louis XIV. and XV. which embellish the *royal apartments.*

Of the first, which fills the nine rooms of the attic floor and the corridor behind and consists, we are told, of 'a *thousand* portraits of celebrated persons of all ages and countries,' we must say that its very title, announcing that at last we were about to see something real and historical, excited considerable interest:—particularly, as we recollected that the dispersion, during the revolutionary storm, of the treasures and curiosities of so many ancient châteaux and hôtels, would probably have enabled a rich, active, and judicious collector to make (as so many others have done in a smaller way) most extensive and valuable additions to the mass which the King must have inherited from the royal *dépôts.* We grieve to say that we were most miserably disappointed. The whole collection seems little else than the sweepings of brokers' shops. Of those pictures which do not belong to the reigns of Louis XIV. and XV., we doubt whether there are a dozen original and authentic; nor do we think that there are one hundred which, if authentic, would be worth the space they occupy. Here, again, the principle of the arrangement is, that every inch of the wall should be occupied; and the pictures are therefore packed together like an irregular tessellated pavement, only separated by flat borders of wood, painted to resemble wainscot. If this plan was objectionable with the larger pictures below, it is here absolutely intolerable; for being all small, and some very small, the necessity of dovetailing them together according to their sizes, confounds all classes and countries. We have Dante and Simon de Montford—Jeanne *la Folle* and Amerigo Vespuccio—Raphael and Sir Thomas More—Archbishop Warham of Canterbury and Michael Angelo—John Calvin and Diana de Poitiers, '*dont aucune voile ne couvre les charmes*' (*Catalogue*), and

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and so forth—all pell-mell—as ill-assorted a pack as Falstaff's soldiers, and like them 'prest into the service *to fill up the rooms.*' Upon what principle are Italians, Spaniards, Germans, Swiss, and English, thus brought into the Museum of *French* history? If the pictures were good and there were no contemporaneous portraits of Frenchmen to be found, they might be introduced as materials for the history of art—but it is not so—most that are not apocryphal are *copies*—take, for instance, Archbishop Warham —*que diable vient-il faire dans cette galère?* Is this portrait even a fine original? Why, the original is in the *Gallery of the Louvre;* and a *copy* from the portrait of an English archbishop has been made for a royal and national collection of 'historical monuments to all the glories of France'! We could cite fifty other instances as absurd—we will add but two. There is a pretended portrait of the Great Duke of Marlborough, a wretched daub, which has no more to do with the Duke of Marlborough than with the Duke of Orleans. If any sensitive French patriot should complain of the introduction of the portrait of so great an enemy of France, Louis Philippe may reply, like the Parisian lady, celebrated by Horace Walpole, who asked her lover for his picture, and when he hesitated, saying that it might betray their intercourse to the husband, discreetly observed that 'it *need not be like.*'* There is also a copy of Ramsay's Kit-Kat of George III.—(George III. one of the glories of France!)—so miserable, that any broker in Wardour-street would be glad to get five shillings for it. If any English kings were to be introduced, there are two who have some claims to a place in a French historical museum: Henry V. and Henry VI. were both crowned kings of France; but there is no trace of them. We, of course, no more expected to find Crecy and Agincourt in the *Galerie des Battailles* than Blenheim or Malplaquet, Vittoria or Waterloo; though the Duke of Wellington has certainly rather more claim to a place in *Louis Philippe's* gallery than the Duke of Marlborough; for if it had not been for *him,* Buonaparte might have been now holding his

* M. Vatout, the king's librarian, a member of the Chamber of Deputies—author of the *Souvenirs Historiques,* and the same classical authority who—in his strange style of flattering Louis Philippe—proposed that all Greek and Latin authors should be banished from French education, because they might encourage *Tyrannicide*—this M. Vatout has given us in his *Souvenirs* (p. 13) another reason for the admission of the Duke of Marlborough into the Museum. We English, it seems, are under a total mistake as to the great share which we fondly suppose the Duke of Marlborough to have had in those victorious campaigns which brought the power of Louis XIV. so low. M. Vatout seems to consider them as the *exclusive* merit of Prince Eugene, who fortunately happened to be born in France. Had this learned historian never heard a certain popular air called *Malbrouck,* which testifies the glory of our *first great Duke,* and which we suspect will outlast all M. Vatout's own compositions? His work on Versailles is full, not only of such wilful perversions as we have just noticed, but of the grossest *bonâ fide* ignorance.

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court at Versailles, and Louis Philippe be still teaching *history, on a smaller scale,* in Boston or New York.

Of the *French* portraits we cannot pretend to be unexceptionable judges; but it is clear that many, if not most of them, are there only because they were on hand, or were to be had cheap;—that several are copies and poor ones, we can venture to pronounce —because the *originals are in the Louvre* and other public collections. We would not have had the Louvre or any other existing collection robbed for this (as we believe) ephemeral exhibition, and should be well satisfied with *copies;* but if once the system of *copies* be adopted, there is no reason why, instead of the brokers' trash now scattered through these rooms, a regular succession of historical portraits should not have been made.

Nor is this the worst—some portraits, attributed to the most interesting personages, are not merely apocryphal, but evidently false; for instance, a man of common sense, and still more, one of uncommon sense, like Louis Philippe, must see that the two portraits exhibited in the fourth room of this series, as those of Madame de La Vallière, cannot be *both* authentic, as they evidently represent very different women; and any one acquainted with the court anecdotes of the day must see that *neither* of the portraits has that celebrated characteristic of Madame de La Vallière's countenance, for an allusion to which the famous Bussy suffered twenty years of exile—

> 'Que Deodatus (*Louis XIV.*) est heureux
> De baiser ce bec amoureux,
> *Qui d'une oreille à l'autre va!*'

With an equal inattention to historic truth, as well as, let us add, to moral decorum, a portrait, said to be of Madame de Montespan, has been hung up in the state apartments (*Grand Couvert de la Reine*) as an appendage to the glory of Louis XIV.: this portrait is clearly an imposition, and the inscription is an obvious forgery of the brokers. In short, the avowedly *fabulous* '*History*' of the lower rooms, which offends only in point of taste, is infinitely more respectable than the confusion and absurdities of this other class—the ridiculous introductions of hundreds of nobodies, the important omissions of thousands of eminent persons, the frauds, and the forgeries, which throw so much into the shade the few things that are genuine and appropriate, and turn what promised to be the highest gratification into the most vexatious disappointment. To the common eye of confiding ignorance, that glances from the catalogue to the picture, and the picture to the catalogue, and is satisfied to see a picture and a name, without any doubt as to their connexion, this collection may be very amusing; but to those who know even as little as we

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we can be supposed to know of such matters, and, much more, to Louis Philippe himself and the *elder* literati of France—(the *younger* seem to know nothing)—this confusion, these misrepresentations, and these impositions, must, we think, be very offensive, and we are confident that when the King has leisure and means for a more accurate review of the matter, they will disappear.

Hitherto, we have spoken only of the *rooms* of this series. We now come to the corridor, which contains little else than portraits and domestic scenes, in pictures, sketches, and drawings, of Louis XV., his descendants, and family down to the last days of Louis XVI.—the best, and therefore the most persecuted and unfortunate of his race. As works of art, they are, for the most part, contemptible; (two or three portraits, however, of Louis XV. and his queen are good, and in a much higher taste than the present school;) but as actual portraits of the persons and scenes, they have an interest which no preceding portion of the collection excites. The series ends with the very worst, but one of the most affecting pictures of the whole—a miserable and melancholy equestrian portrait of Louis XVI. as 'Constitutional King,' painted, as the artist's own inscription on the picture tells us, by '*Carteaux,** *Peintre du Roi et Officier de la Cavalerie Nationale de Paris*, 1791.' The unhappy king, whose features are exaggerated almost to obliquity, is mounted on a horse which is certain to throw him—he wears a faded tri-coloured cockade in his hat, and stretches out *in vacuo* a sword, inscribed, as if in derision—'*La Loi.*' The landscape is an arid desert, except that in one corner, to break the uniformity, the patriot artist has painted, much more naturally than any other part of the picture, a huge *cabbage*.

This miserable abortion of art has the place of honour at the end of the gallery, and deserves it—it is real history—the history of the condition of the unhappy monarch who was forced to submit to such a degradation, and of the state of the arts, when citizen Carteaux was appointed to paint the King. To complete the sad impression and to finish, as it were, the story, there hang close by, two or three portraits of—'*le meilleur citoyen de la France*'—the *Regicide Egalité*.

We now turn with pleasure from these poor daubings, and melancholy recollections, to the galleries of sculptures, which are disposed along the four corridors of the two wings, and in the halls and vestibules. To the local arrangements of the corridors we have nothing to object—they are nearly as good as if they had been built expressly for the occasion, and are, indeed, for their purpose of a monumental gallery, more appropriate in their

* This was the same person who became a general of the revolutionary army and commanded at Toulon, when Buonaparte made his first appearance.

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solid plainness, than the marbled halls of the Louvre would have been. Of the choice of the monuments too, considering what difficulties the King must have had to collect a sufficient number of objects, we can speak not only with indulgence but with praise. He has brought hither a large collection of marble tombs and monumental statues, which had been pillaged from the various churches during the Revolution, and had been collected and arranged by the care and taste of M. Lenoir, in what was called the *Musée de Monumens Français*, at the *Petits Augustins*. It would scarcely have been possible to have restored them to their original churches, many of which had themselves perished—*etiam periere ruinæ*—and having once been moved, we are not sorry to see them find a resting-place—(if it be one)—in these galleries. He has also caused plaster casts to be taken of several images of kings, queens, and notable personages, which exist on the tombs or in the niches of several cathedrals, and these he means, as time permits, to have executed in marble. He has also had copied in marble several statues of celebrated men; and in this way has reproduced, of a smaller size, some of those which we have already noticed in the great court of the palace. One entire side of one of the corridors is dedicated to the busts of generals killed in battle: placed with their backs to the windows, they are not so well lighted as might be wished; but on the whole, it is a national, and what can seldom be added, a rational idea, and the execution (though we, of course, can say nothing of the resemblances) seems very tolerable.

There are also busts of some other remarkable men, though of none of the numerous persons who made any figure in the civil affairs of the Revolution—with two exceptions, which shall be mentioned presently.

But the most original in design, and the best in execution of the sculptures, is one, which, all things considered, does the Royal family most honour, and must give the greatest personal gratification to the founder of the museum—we mean the statue, as large as life, of Joan of Arc, by the *Princess Mary*—the King's second daughter—lately married to Prince Alexander of Wirtemburg.

There is something so extraordinary in any woman, but particularly a young princess, working with tolerable success on such a material and on such a scale, that one would readily make allowances for many defects; but we saw little to require allowance; it seems to us the most beautiful modern statue that we have seen. Perhaps we might have wished that the countenance of Joan had been more animated; we expected a touch of a higher and wilder enthusiasm;—or, at least, something more of that inspired cast which Southey so beautifully gives her—

'——Wan

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'——— Wan the maiden was;
Of saintly paleness; and there seemed to dwell
In the *strong* beauties of her countenance
Something that was not earthly——'

But the artist herself—*another inspired* MAID OF ORLEANS—thought otherwise, and she may be right. It suited her taste—influenced perhaps by feminine feeling as well as national partiality—to represent the heroine as a girl of gentle beauty—impelled (rather than excited) by a sober and thoughtful patriotism, and inspired less by an adventurous enthusiasm than by a calm and considerate sense of religious duty. This, which is at least an elegant conception and by no means inconsistent with historical accounts, is admirably expressed in the rather downward look of the beautiful but resolute countenance, and in the modest yet determined folding of the arms upon the *cross* of the blessed sword of St. Catherine. It must, however, be added, that there is not wanting some expression of more active courage: the lower portion of the figure is in the action of bold advance, and the way in which the point of one of the mailed feet oversteps or rather *cramps* itself to the pedestal, marks by a simple and natural circumstance the stifled energy of the character. Such is the design; and the beautiful finish of the execution is quite equal to the conception. It may be asked whether it can be all her own.* To which we answer, whose else can it be? where is the other hand in France which has produced anything like it, and now that the Princess has passed the Rhine, where is the hand in France that will attempt to rival it? If the Gallery of Versailles had cost Louis Philippe double what it has done, it would have been a cheap purchase for the pleasure which such a work must give to a father who has a heart.

This is perhaps the fittest place for bearing our testimony to the liberal and every way satisfactory manner in which the service of the exhibition is conducted. There are numerous attendants distinguished by a plain livery, who direct the visitors in the course laid down for the successive view of the various apartments. The crowds were at first so great, and are still—though *awfully* diminishing—so considerable, as to render it necessary to establish such an order of march; but the attendants make no difficulty in allowing any one, who has any particular object in doing so, to deviate occasionally from it, or to prolong or repeat at his plea-

* We have heard it confidently asserted that the Princess had only *modelled* the figure, and that the *statue* was executed altogether by other hands. This would have added another, and a most grievous one, to the *deceptions* of the new Museum; but we are glad to be able to say, (from information on which we think we can rely,) that the Princess has done as all eminent sculptors do,—'*ni plus ni moins*:'—she, alone, modelled the figure, from which an inferior hand carried on the statue to a certain point, after which the finish was given by her own hand and chisel.

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sure his visit to any one apartment or object; and their intelligent and *entirely gratuitous* civility makes to an Englishman a contrast at once agreeable and painful with his recollections of what he has too often witnessed at home.* The whole palace has a furnished and comfortable appearance; the lamps are all in their proper places—a profusion of wax candles in all the chandeliers ready to be lighted—in cold weather good fires in every grate—and hot air introduced into the corridors and into those rooms (the great majority) where the paintings have masked the fire-places. All through the apartments there are handsome seats, by no means a superfluous convenience in a walk of—as the guide-book asserts—more than two leagues, and which, even in our judgment, may be, courts and all, a couple of English miles, and certainly can hardly be performed, even in the most hasty manner, under four or five hours.

This testimony terminates, agreeably to us, the observations which we have to make on the objects of art in the new Museum of Versailles. We have, we believe, noticed, however imperfectly, all its component parts; except the ground-floor of the central building, and the king's apartments in the north side of the old château, which are not yet open to the public—at least were not to us—and some rooms of water-colour drawings of generals and of battles, which are not worth mentioning. On thus arriving at the term of our inspection of Louis Philippe's collection, we must confess that—in addition to the errors of taste and of political morality which we have noted—its vast *extent* is, to our feeling, one of its most prominent defects. If the pictures were of such variety and excellence as to afford a school for art, their numbers would be enviable; but as mere matters of amusement, there are tenfold too many. Mr. Sharp, in his 'Letters from Italy,' honestly confesses that the vast collections of fine pictures which one is hurried about to see produces indifference at last.

'One sees too quick a succession to be much gratified; one has not

* We have no hesitation in saying that the crown of England possesses materials for an *Historical Gallery* which would be infinitely superior to that of Versailles—both in the authenticity of the portraits and the value of the pictures. Windsor itself, if it could be made as easy of access, would be, even in its present state, more really interesting; but much of its beauty and curiosity is in the private apartments,—particularly what is called the *Corridor*,—which, of course, cannot be generally opened. It was once proposed to George IV. (while Regent) to connect Carlton House with Marlborough House and St. James's Palace by a gallery of pictures of the sovereigns and other historic personages of England. The idea was excellent, and at first favourably received; but, unfortunately, Mr. Nash's speculation of burying Carlton House and gardens, and overlaying St. James's Park with his gawky terraces, prevailed, and the design of an historical gallery was abandoned. We should like to see it, or something of the kind—with the addition of a series of rooms exhibiting the succession of domestic arts and habits—revived at Kensington or Hampton Court.

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time to contemplate and fix in memory the characteristics of the different masters; and I question whether I should not have had more pleasure in seeing twelve or fifteen only of the first pieces than that infinite quantity which has passed so rapidly in view before my eyes.'—*Sharp's Letters*, p. 69.

If anything like this be true of the great works of Italy as successively seen by travellers, what must be the wearisome and confusing effect of these thousands of pictures all of the same school —by a very limited number of hands—almost all of the same class of subject and composition, and generally of very moderate execution? We confess that we found it intolerably tedious; except the gallery of portraits, which was intolerably offensive.

We have now only to proceed to the *State Apartments*, which Louis Philippe has had the good sense to interfere with in a very slight and inconsiderable degree: indeed he has done little more than change a few pictures, and those changes have been in general made with discretion as well as taste.

These State Apartments occupy the whole first floor of the centre building, front and rear. It is hardly possible to describe the contrast which strikes one on passing from the flutter, glare, and confusion of the new Museum, into the sober and yet splendid grandeur of these fine apartments—it is like passing from the tawdry to the magnificent—from a theatre to a sanctuary. They are lined with exquisite marbles—ceiled with admirable paintings; and the doors and window-shutters, necessarily of wood, are carved and gilt in the highest taste of graceful, yet solid ornament. The rooms go on increasing in size and finish to the great *Galerie des Glaces*, which is in our opinion the triumph of palatian architecture; and they go off diminishing in the same way till they return to the ordinary apartments of the palace. The ancient gilding seems almost as fresh and brilliant as that of yesterday—the pictures numerous, but not covering the walls like paper-hangings, are analogous to the age of the founder; and when we have *heretofore* wandered through them, before the new Museum had made them mere passage-rooms to a mob of idlers, we could fancy that we saw them peopled by the greatest figures of the greatest epoch of French history:—in fact, it is only in these apartments which the *Historical Museum* has *not* invaded, that we find any of the recollections and emotions which real history excites. Here, in the second room from the great gallery, we stand in the bedchamber of Marie Antoinette;—here it was that on the dreadful night between the 5th and 6th of October, she lay down to endeavour to snatch intervals of rest, broken by the cries of the furies that paraded round her apartment;—here we see that vista down to the door of the guard-room, whence the gallant

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M. de Miomandre had just time, before he was stricken to the ground, to call out to the single female who paced the ante-chamber—'*Save the Queen!*' Here we with difficulty recognise the secret door close to the queen's bed-side, through which half-naked she fled to the king's apartments—to die, as she expected and thought her duty, at his side. A little further, and we reach the door at the head of the *Escalier de Marbre*—the scene of the agony of the gallant *Miomandre*, and of the equally gallant *Du Repaire* who fought at the door—not for their own lives, but for a few moments of delay to allow the Queen to escape. Here we saw, on the head of the stairs the very spot where, as Miomandre fell covered with wounds, one of the assassins in a hurry to finish him, blew out the brains of an associate who was stooping to stab him. A few steps on and we reach the window looking into the *Cour de Marbre* (A), whence the other *Gardes du Corps*, besieged in their ante-room, saw the body of the slain assassin brought down and laid with his shattered skull on the marble steps of the porch, while their unfortunate companions, Deshuttes and De Varicour, were dragged out and beheaded, as a sacrifice to his manes, by *Jourdan Coupe-tête*—while the army of Lafayette, drawn up in the courts, looked on with apathy at least, if not with approbation. A few steps more bring us to the bed-chamber where Louis XIV. expired, and where the monarchy expired too; for it was through the centre window of this chamber (overlooking the *Cour de Marbre*) that the King, the Queen, and the Dauphin, were forced into the balcony—while the three dead bodies still lay in the court below—to give the humiliating and fatal pledge that they would follow the sanguinary mob to the sanguinary capital. It was through this same window that the heroic Marie Antoinette, hearing the cries from below of '*The Queen alone!*' '*The Queen alone!*'—and believing that they meant to demand *her* as the single sacrifice—separated herself from her husband and children to present herself *alone* to the bullets of the mob as that sacrifice!

It was at another (the most northern) of these three windows that occurred a double instance of heroism—male and female—which in sublime simplicity of quiet self-devotion exceeds all the *fanfaronades* blazoned in the rest of the building. A ball fired from the mob below struck the wall close to the window where the Queen happened to be standing. M. de la Luzerne, the minister of Marine, observed it, and gliding quietly round, as if from mere curiosity, placed himself between the window and the Queen. The quick magnanimity of her majesty—never more truly deserving the title of *majesty*—saw the movement and its motive: 'I see,' she said in a low voice to M. de la Luzerne, 'your intention,

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tion, and I thank you; but be so good as to return to your former position—that is *your* place—*this is* MINE!'*

It was from this balcony that the melancholy procession of the captive monarch and his family, surrounded and at every step insulted by the furies and butchers of the crowd, was seen moving slowly down the Avenue de Paris, preceded by the heads of the brave Deshuttes and De Varicour, which the mob halted for a moment and forced a hair-dresser to curl and powder, to give greater dignity to their triumph—the hair-dresser dying of his agony! *These* are scenes of history—

'Sunt lachrymæ rerum et mentem mortalia tangunt'—

but of these scenes—not a vestige is to be found in the *Musée Historique de Versailles.* Nay, the very door through which the queen escaped is now hardly to be discovered, having been lately canvassed over to allow a portrait of some one, we know not whom, to be hung against it, as a *pendant* to another picture of we know not what, on the other side. And this in a building dedicated to *history!!!*

Again; in a niche in one of these apartments stood a white marble statue of the *Duc D'Enghien.* Amidst the hundreds of statues with which Louis Philippe has peopled the corridors of his museum, this statue of the Duke d'Enghien is not to be found—yet he was not only Louis Philippe's kinsman by various royal connexions, but his first cousin—the son of his father's sister—by that unhappy Duke de Bourbon, whose great estates (by the death of this very Duke d'Enghien) Louis Philippe and his children were called, under such strange circumstances, to inherit. The Duke d'Enghien's image has vanished from Versailles, but not from the indignant memories of mankind.

For the attempts to obliterate the recollection of the 5th and 6th October, there may be—considering whose son Louis Philippe is—some excuse; but for all the accumulated adulation of Buonaparte and of revolutionary France, which we have already noticed, and, above all, for this removal of the statue of the Duke d'Enghien, we can find no excuse for any man of ordinary feeling or even of common prudence; but least of all for HIM who wrote, in 1804, a letter to Bishop Watson, of which the following is an extract:—

'*Twickenham*, 28TH JULY (!), 1804.

'*My Dear Lord,—I was certain that your elevated soul would feel a just indignation at this atrocious murder of my unfortunate cousin* [the Duke d'Enghien]. *His mother was my aunt: after my brother, he himself was my nearest relation. We were companions together in our earlier days, and you may well believe that this event has been a severe blow to me.*

* Weber, vol. i. p. 449.

'*His*

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'*His fate, too, is a notice to all of us. It is a warning that the* CORSICAN USURPER *will never be at rest till he shall have effaced our whole family from the list of the living.*

'*This makes me feel still more sensibly, though indeed that is hardly possible, the value of the generous protection which your magnanimous country grants us.* I quitted my own country so early that I have scarcely any of the habits of a Frenchman; *and I can say with truth that I am attached to* ENGLAND, *not only by gratitude, but by taste and inclination. It is therefore in all the sincerity of my heart that I wish that I may never leave this hospitable land.*

'*But it is not from mere personal feeling that I take a lively interest in the welfare and success of England—it is as a man! The safety of Europe—of the world itself—the happiness and future independence of the human race depend on the safety and independence of England, and that is the honourable cause of the hatred of Buonaparte and all his followers against you. May Providence defeat his* iniquitous projects, *and maintain this country in its happy and prosperous state! It is the wish of my heart, the object of my most ardent prayers.*

'*I am, &c. &c.,*

'LOUIS PHILIPPE D'ORLEANS.'

What can be added to such a display of inconsistency, and, may we not say—in one case or the other—of hypocrisy and falsehood as is exhibited between *this letter,* and the *nineteen* salles 'CONSACRÉES' to the glory of Napoleon in the Palace of Versailles?

But if we are surprised at the superabundant glorification of Buonaparte, we are not less so at observing that of the persons and scenes of the very most historic and stirring period in the long and bloody annals of France—from the beginning of the Revolution to the accession of Buonaparte—the Historic Gallery does not contain a vestige (except the battles on the frontiers). Where are the Notables—the States General—the Constituent and Legislative Assemblies—the Convention—the Directory?—where are Necker and Calonne—Barnave and Bailly—Maury and Mirabeau?* We beg pardon: in one dark corner—literally the darkest corner of one of the corridors—we detected a bust of Mirabeau and another one of that silly coxcomb, never heard of till his death, Le Pelletier St. Fargeau: but with these miserable exceptions—and that of EGALITÉ *senior,* in the corridor up stairs—we could find no trace of any one of the men who attained either good or bad eminence between 1789 and 1800. We did not expect to see Robespierre and Danton—though they are surely historic personages, and their appearance here would not be more indecent or odious than that of their patron and accomplice, *Egalité;* but may we not venture to inquire for Roland and Vergniaud—Lescure and La Roche Jacquelein—and all the

* This reminds us of Lord John Russell's 'Causes of the French Revolution,' in which the name of *Mirabeau is not to be found!*

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other meteors of the Gironde—and all the other glories of La Vendée?

But, passing from men to events, we are equally disappointed. In a gallery that professes to be *historical*, but is in truth only *panegyrical*, we could hardly expect to see the scenes of the *20th of June* and the *10th of August*, the *21st of January*, and the *16th of October*; but we miss many other events of a less afflicting character, and of great artistic capability and historical interest. Where are the noble architecture and the august assembly of the *Menus Plaisirs*?* Where are the naked walls, but enthusiastic excitement of the Jeu de Paume?† Where the capture of the Bastille? Where the royal visit to the Hotel de Ville? Where the great Federation of 1790 in the Champ de Mars? Where are—the sublime tumult of the 31st of March, which founded the Reign of Terror?—the struggle of the 13th Vendémiaire, so picturesque in its details and so important in its results?—the crafty violences of the 18th Fructidor?—the 18th Brumaire, pregnant with the gigantic despotism of Buonaparte?—and where the last interview between Buonaparte and his Chambers, when he exclaimed *Le trône c'est* MOI? It cannot be said 'they had no *painter*, and they died:' they have been all, or nearly all, painted, and the pictures are, we suppose, in existence; but if not, they were more easily to be retraced than the battle of Tolbiac and 'Charlemagne dictating the capitularies.'

The conclusion of all is, that the *Historical* Gallery is, in vulgar but expressive English, a mere *humbug*—that Louis Philippe adopts just as much of the Revolution as serves his own turn, and makes him *de facto* the successor of Napoleon; that beyond this limit he is the heir of Louis XIII., *Roi de France and de Navarre*, and that he is resolved to forget every political event of the revolution between July 1789 and July 1830.

In substance he is right; but, then, he should not have gone out of the way to call up such comparisons and recollections as this Gallery of Versailles has forced upon us and must force on

* This hall was, we believe, temporarily erected for the occasion of the States General, but it was very beautiful, and there is an interesting print of the first sitting of the assembly. The Hall has long since vanished, and the Hôtel des Menus Plaisirs, situated in the Avenue de Paris, is now a cavalry barrack.

† The National Assembly decreed that the Tennis-Court should be purchased and preserved as a national monument, and several motions were from time to time made for an *honourable appropriation* of it. Nothing more, however, seems to have been done than making these decrees and motions. The edifice still remains a spacious area between four bare and lofty walls. All the furniture of the tennis-court having vanished, it was used last autumn as a carpenter's shop; and in sight of the new *Musée Historique* this really historical building—the cradle of French liberty, and the honoured object of the solicitude of the National Assembly—was abandoned to the commonest handicraft uses; another extravagant inconsistency.

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every thinking mind. We repeat our often-expressed belief, that King Louis Philippe—ambitious as he always has been—was placed in his present position by no immediate design or direct participation on his part. We believe that the expulsion of the elder branch was justified, *de facto*, by the feeble insanity of Charles and his ministers; and, in a certain degree, *de jure*, by the pusillanimous abdication of himself and his son. We believe that the accession of Louis Philippe was sanctioned by expediency, we might almost say by necessity; that it saved France from the horrors of anarchy; and that his life and reign are necessary to consolidate order in that volcanic country. Although we cannot bring ourselves either to conceal or misrepresent the truth for the purpose of flattering his vanity, or even of helping his cause, we heartily wish him success: but our wishes are stronger than our hopes, and the latter are, we must confess, not much increased by a consideration of the real motives and (when people shall begin to *think* about it) the possible effect on public opinion, of the MUSÉE MONSTRE *de Versailles*.

ART. II.—*Welcome and Farewell; a Tragedy.* (Privately printed.) London. 24mo. 1837.

WHEN, on a recent occasion, we ventured to invade the privacy of a volume printed for distribution among the author's friends, the public judgment fully confirmed our opinion. The success of 'Ion' with all true lovers of dramatic poetry, thus anticipated in our journal, has tempted us to venture a second prediction in favour of another dramatic poem, which appears in the same modest form. No two dramas, indeed, can be more unlike in their subject and the nature of their interest, though with some resemblance in the easy and polished harmony of their diction, than 'Ion' and the tragedy which bears the quaint, and we do not think very happily chosen, name of 'Welcome and Farewell.' This poem more reminds us of the manner of our older dramatists—or rather of the manner in which one of them *might* have treated a subject hardly above domestic interest, if he should have fallen upon a period too refined for the coarseness and buffoonery which in general filled up the underplot, or gave character to the inferior personages of their stage.

For after all, Shakspeare alone, of all dramatists, ancient or modern, English or foreign, has brought the whole world of man upon the scene with equal life and equal truth. From the king to the clown, each speaks his appropriate language, and delights

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or amuses; each keeps his proper rank and station. The grouping of Shakspeare alone is as masterly as his outline. Where his subordinate characters form an underplot, that plot, even if not connected with uniform felicity with the main interest of the piece, always bears upon it at last, and in itself has something to enliven or divert. Where these inferior personages are only incidentally introduced, to give reality to the scene, and to develope the actions or the feelings of the more prominent characters, each seems to have an intuitive perception of his position; each, however insignificant, is marked, and kindled to life, as it were, by some light but fine touch; his few words are so true to his character, or the circumstances in which he is placed, that we should regret his absence. How exquisite, for instance, in this point of view, and yet how completely subordinate and in keeping, is the dialogue of the doctor and the female attendant in the sleeping scene of Macbeth! In one respect Beaumont and Fletcher, perhaps, approach nearest to Shakspeare in this point, because their comic are at least equal, we are inclined to think superior, to their tragic powers. But in them, if there is life, there is often want of truth, and, from a worse cause, the deficiency in that high moral tone, that pure and intuitive feeling of right, which, notwithstanding the occasional vulgarities and indecencies, in general predominates throughout this school of writers. In most of the other dramatists the underplot, and the subordinate comic parts, are a mere appendage to the real play, and might be entirely discarded without making the story in the least less intelligible. In some of Massinger's pieces, for instance, it is by no means difficult to read the whole of the serious part, entirely omitting, and never missing, the low comic scenes, which seem to have been introduced, either merely to fill up the time while the main characters are resting from their exertions, or to gratify the coarse ears of the 'groundlings.' Shakspeare might fairly complain of the liberty taken by the clown to 'speak more than was set down for him;' but in many of the other writers of his time the extemporaneous buffoonery of the actor might almost seem to have been 'set down,' after the performance of the piece, in the printed copy. In some of the later dramatists—Otway—and even Southerne—plays which, as they are now represented, seem to be composed with closer regard to unity of interest and simplicity of plot, were, as originally produced, overloaded with similar excrescences. But their still grosser indecencies absolutely enforced the suppression of those scenes, which had so little real connexion with the design of the play, that no one, on merely seeing it in the theatre, has any notion of their existence. Whoever will take the trouble to

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to compare the acted 'Venice Preserved' with the original in Otway's works, may see how much has been cut out, and how little lost.

This, then, seems the vital difficulty in the construction of what is called the Romantic drama. In the Spanish this office, of making a kind of comic interlude between the serious parts, is almost invariably assigned to the Gracioso. It is curious enough that the Vità is employed in the same manner on the Indian stage. Nothing, at times, can be more diverting than this pleasant parody on the graver interest, especially with the inexhaustible joyousness and graceful verse of Calderon; but its recurrence becomes at last fatiguing; and we cannot but think the constant introduction of any one conventional character inconsistent with the perfection, and unfavourable to the advancement of the dramatic art—its very liveliness is monotonous. We consider, therefore, the Shakspearian drama as the highest perfection of the art, but then it is in the hands of Shakspeare himself—

'Within that circle none dare walk but he.'

And whenever the poet shall be born who can as completely people the stage from every walk of life, reflect from his scene the whole living world, we would throw open our doors for his reception with all his followers; he should have full liberty to sport with every unity, except that great essential unity which no true poet would attempt to violate—that of impression or of interest; he should range from grave to gay with the rapidity and frequency of common life; he should crowd the whole reign of a sovereign into one play; he should show the complete development of any great or striking character from its first impulses to the crisis of fate; his own genius, in short, should be the one heaven-implanted law within his heart, which, as it could not but be true to human nature, must constitute the perfection of real art: we would set no limits to the royal prerogative of the poet, so long as he uses his gift of ruling over the souls of men for its legitimate purpose, our delight, our elevation, our purification. While, then, we thus fully acknowledge the supremacy of this infinitely diversified drama; still, however—(for we are great latitudinarians in our taste—we are on principle open to impressions of delight from every form of the touching and the beautiful; and of all cold and deadening processes of criticism consider comparison incomparably the worst)—we cannot but think that a completely simple and single plot is perfectly reconcileable with much that we admire in our earlier drama—with the free and unlaboured, yet pure and harmonious diction—with the spirit, that is, without the quaint and obsolete form, of their phraseology;—with the truth and reality

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reality of their passion;—and with the deep, unsententious moral tone, which, notwithstanding the perilous subjects which they delight to handle, the incidents often so foreign to modern delicacy, and the license of buffoonery in the lower characters, is still the latent and sanctifying leaven diffused in general through their writings.

The plot of 'Welcome and Farewell' is remarkable for its perfect simplicity of design. There is not only no character, but, we think, no speech which does not tend towards the catastrophe; the strength and weakness of each personage is developed as it contributes to the fatal result. The author might safely defy that 'pruning-knife,' which poor Sir Fretful Plagiary, and many an unfortunate dramatist besides, has called the tomahawk, and which is so unscrupulously used in what is called adapting a play to the stage. It would be scarcely possible to retrench many lines of this drama without making the whole obscure. We proceed to give an outline of the story.

Margaret, the daughter of old Kessel, one of the wealthiest and most respected burghers of Antwerp, is the wife of Albert de Koëning, a distinguished soldier, employed abroad in the service of his country. During the absence of Albert, the generous and hospitable citizen had received into his house a gay, brave, but profligate Frenchman, Villeroi. This Count has become enamoured of the pure and beautiful Margaret, and he is enabled by the dexterous management of a very suspicious incident, to which he had been an eye-witness,—a scene of seemingly passionate love between her husband and a fair stranger in a distant country—to awaken a feeling of jealous and resentful estrangement from her husband. The indignant wife reposes her griefs in the bosom of her treacherous friend. In her bewildered and passionate state of excitement she admits the addresses of Villeroi, and has pledged herself by a solemn vow to fly with him from her home. But the love of her husband is still in the depth of her heart; her passion for Villeroi is no more than jealousy and resentment in disguise:—

'VILLEROI. Margaret,
You do not love me as you love de Koëning.
MARG. Most true, indeed, not as I did love Albert,
Villeroi, do I love thee. With him, affection
Went hand in hand with duty. I rejoiced
In my innocent fondness. Did the stranger's eye
Learn from some word or look the tenderness
I felt and could not hide, a blush might follow
Which spoke timidity and conscious pride,
But drew no tint from shame. My young love flourished
Beneath the sunshine of a father's smiles,

And

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And bore in its increase, increase of happiness
To him and me and Albert. Towards my husband
Love was joy, peace, and virtue: but to thee
'Tis the soul's tempest: 'tis a potent spell
Impelling to a ruin which I see,
And fain would shun, and cannot. 'Tis a fierce
Tumultuous agony of mingled passions,
And strangely different from my love for Albert.'—pp. 15, 16.

On the venerable but feeble old age of her father, Kessel, turns the main incident which leads to the catastrophe. Nothing can be happier than the introduction of the old man, or sweeter than his description of himself. His friend Steinhault says to him:—

'With you a green and vigorous old age
Throws off the burthen of its many years,
Disdaining time's slight malice. Eighty winters,
As shadows on some noble monument,
Have fall'n and past and done you no disservice.'

As these lines are spoken, Kessel and Steinhault walk slowly arm in arm away; at the conclusion they stop, and Kessel, laying his hand on Steinhault, says:—

'Mark me, my friend, my course of life has been
Most highly favoured; a serene repose,
Free from disturbing passions; a sweet calm
Of kindness, and prosperity, and honour;
A holiday voyage along a sunny stream;
A summer's day, of which the moonlight eve
Wears the noon's brightness, though the sun has set.
In this tranquillity the lamp of being
Burns with a steady and unvarying flame,
And none observe how wastes the oil within.
I—I alone—perceive the weakening force
Of life's high energies. I only feel
The sense of my decline. Let all things rest
Prosperous and bright around me as they are,
And some years longer may Old Kessel live,
To welcome at his board the friends he loves:—
But peace is now essential to existence.
I have no strength for conflict. Should affliction
Lay its hard hand upon me—I well know
The spirit's gone which might have struggled with it,
And sorrow's touch would be the stroke of death.'

The first scene had announced the return of the noble and honoured Albert de Koëning to his native city. During the second he arrives—and arrives accompanied by a beautiful female, the very 'Maid of Berne,' about whom Villeroi had awakened Margaret's jealousy. Her reception of her husband is, to his astonishment

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nishment and bitter disappointment, cold and distant. The third scene introduces them in the privacy of their garden; after some pleasing lines, on an indifferent subject, the soldier proceeds to more serious matters:—

'ALBERT. I would speak to thee
On matter of deep interest.—That fair lady-
MARGARET. (*Aside.*) Ay, that lady!—
ALB. It is a painful thing
Even to the wife one loves, to touch a theme
That tints the cheek with shame.
MARG. A weighty truth that;
But it were better think such thoughts as these,
Before we do the deeds that prove them true.
ALB. So 'tis, in truth, and for ourselves, my Margaret,
May we so live that, though our every act
To the whole world were blazoned, we may meet
The general gaze with an untroubled eye.
But there's a shame we cannot guard against:
A shame inherited from kindred blood,
Which penetrates the shield that virtue bears,
And on the innocent inflicts the blush
Without the guilt of sin.
MARG. What can he aim at?
ALB. That lady is my ward.
MARG. So you have said, sir.
ALB. But by a nearer, dearer title, Margaret,
Than any living soul, besides thyself
And that poor orphan, ever may divine.
MARG. A nearer, dearer title?
ALB. Pause a moment
And thou shalt hear it all—all my sad story.
Fain would I in eternal silence bury
The recollection of a parent's crime,
And that o'erpowering feeling of dishonour
It casts upon the heart; but, sweet, to thee
Such revelation is a painful duty
And may not be o'erpast. Our sacred union
Were but a shallow compact, if the chant
Of stoled priests, the vow of constancy,
The solemn ritual, the marriage feast,
And our swift hours of lover's talk, were all—
Without that close communion of the soul
And interchange of secret thought with thought
Which make the holiest bonds of wedded love.
To thee, perforce, my tongue must frame its speech,
Telling the tale which blasts the name of one
Whose memory, among all holiest things,
I fondly cherished, till of late I learnt
To wish the tears she wrung from my man's eyes

Were

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Were drops of Lethe's water, that might wash
Her all-dishonoured image from my brain.

MARG. Sure 'tis some sin of strange enormity
That follows such a prologue.

ALB. So heinous, love,
That to thy spotless soul 'twill seem too great
For woman's perpetration.

MARG. Pray proceed.

ALB. I've told you, Margaret, that my mother died
When I was but an infant—a little child
Some five years old or so. My father then
Was living at Alost.—I well remember
A graceful beautiful form that lavished on me,
In my first years, sweet smiles and fond caresses,
And knew that form my mother's.—One circumstance
Still, like a dream of yesterday, survives
Fresh in my recollection. I was one night
Deep nestled in my little crib asleep,
When the close kisses and the burning tears
Of that fair parent waked me. Her emotion,
Intense and hurried, so impressed my mind,
That, though alarmed, I lay in passive silence
Gazing on her afflicted tenderness.—
Awhile she wept and sobb'd, and in her arms
Press'd me convulsingly.—Anon, a signal
Sounded;—when suddenly she caught up the light,
And fled my chamber.—Never from that hour
Saw I my mother in my childhood more.
I miss'd her daily kindness, and demanded
Of my attendants where my mother was.—
They said that she was dead: then earnestly
Bade me not name her in my father's presence.—
They were obeyed.—
The settled gloom that overhung our dwelling
Crushed my young spirit.—Ours was a house of mourning,
Not the dark colour of funereal mourning,
But the deep stillness of the soul's affliction.
My father shun'd the gaze of the world's eye:
On me he looked and sigh'd—and past away:
His friends flock'd to him, but returned unseen:
The menials ministered in silent motion,
As fearful of intruding on his griefs
With any sound of service. My little sports
Were with infantine imitation still'd.
Margaret, my mother lived:—but there was death
To the sweet social happiness of our home:—
That died for ever in her guilty flight.

MARG. That lady must have suffered grievous wrong
So to forget her duty!

ALB.

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ALB. Suffered wrong!
My father was the kindest man alive;
And by my soul as fondly cherished her,
Dearest, as I do thee.'—pp. 27-31.

He goes on to say that he was one day unexpectedly summoned to Berne, and

——'there I found my mother.

MARG. That guilty mother!—

ALB. Ay, but so wretched, love, that, as she lay
Pale on her death-bed; as her glistening eye,
Which o'er her fallen cheek, with a fearful brightness,
Expres'd the undying strength of her contrition
In life's extreme of weakness: as my hand
In both her fevered hands she clasped, imploring
I would forgive her past desertion of me,
And pray for mercies which she dared not ask:—
Oh!—as I saw her thus—so changed, so faded
From that fair vision of my infant dream,
All the commingled passions of my soul—
The deep amazement at such strange encounter—
The shame that kindles at a mother's sin—
The keen resentment of a father's wrongs—
Were in intense commiseration lost
Of that unhappy penitent's remorse.

MARG. Sure such a sin of youth can never be
So great as with the shadows of its guilt
To darken a whole life!—

ALB. What! not adultery!—
That sin which, in the second table, holds
Next murder the first place—Oh!—Think again!—
Speak not thus rashly, dearest Margaret,
Of deeds so heaven-offending in their act,
So baneful in their issues!—

MARG. Ay!—True—their issues.

ALB. Her poor old father.

MARG. Had *she* a father?

ALB. He was the soul of honour. All his youth
Was in the course of gallant action spent,
And his age reaped the profit. He esteemed
His daughter's virtues the most prized reward
Of his whole life of virtue.—That sad old man!
I've many an hour sat silent on his knee—
Awed by the tearful eye and quivering lip
I looked upon—and played with his white hair,
Which in a single night was blanched with grief,
Hearing the story of his child's disgrace.

MARG. Oh heaven! Oh heaven!'—pp. 32, 33.

He proceeds to describe the desolation of the husband, the abandonment of the unfortunate woman by her seducer:—

'And

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'And from that hour
My contrite mother, a true Magdalen,
Her one transgression mourning, like the poorest
Of the poor peasants round her, all alone
In a secluded hamlet dwelt, dispensing
Her ample dower in penitential alms.
The world to her was past. In it she knew
No solace, but to hear of my success;
No hope, but once again before she died
To see me, and entrust to my protection
The guiltless offspring of her guilty love.
MARG. Had she a child surviving?
ALB. In a convent near
Nurtured from infancy.
MARG. Where is that orphan?
ALB. Here, love, with us:—the fair, meek, timid Anne.
MARG. What say you, Albert?—How?—I understand not—
That lovely lady?—She who with you came
This day to Antwerp?—
ALB. Ay, my sister, sweet;
Why art thou thus disturbed?
MARG. All is so strange,
So very, very strange! Your mother's daughter,
Your sad, most injured mother's!—Alas! Alas!
Why was this tale delayed?—I heard not thus!
They told me you were false, and that my rival
Lived in that child of sorrow.'—pp. 36, 37.

Albert discovers that Villeroi has been the author of this calumny. In the next scene there is an interview between the injured husband and Villeroi, whose baffled passion for Margaret, the calm and almost contemptuous superiority assumed by Albert maddens to more deadly hatred, and a deep determination of revenge. Margaret in her agony dares not reveal her secret understanding with Villeroi to her husband, and in evil hour resolves to appeal to the honour of Villeroi, to release her from her guilty vow, and himself to depart from Antwerp. But in the mean time a new, a very striking and natural incident occurs, which darkens the whole tissue of affairs. The strict and homely morals of the burghers of Antwerp had been deeply offended by the intimacy between Villeroi and Margaret. They dreaded the introduction of French levity and freedom into their plain and virtuous society:—

'2ND CIT. Antwerp knows no such license.
1ST CIT. May she ever
In that her virtuous ignorance, be blest.
Show me the city, however rich and fear'd,
Secure in men and arms, fenced up to heaven,

And

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And in her massive walls impregnable,
Which holy wedlock holds in light respect;
And I, a sure interpreter of fate,
Judging the future by the past, will tell
Where the foe lurks in subtle ambushment,
That shall her deep foundations undermine,
O'erclimb her lofty bulwarks, drain her wealth,
Quench in enervating licentiousness
The valour of her sons, to bondage lead them,
And on the barren plain or sounding shore
Leave her the ruined haunt of savage creatures.'—p. 52.

The good old father alone blinded, partly by his own generous feeling of hospitality, partly by the brilliant and captivating manners of Villeroi, and by his undoubting confidence in his daughter, had not the least suspicion, either of anything beyond friendly intercourse between them, or of the possibility that his pure and noble daughter could be touched even by the breath of calumny. He has determined to give a splendid banquet to celebrate the return of his son-in-law. To his utter astonishment, one after the other, the burghers coldly decline his invitation. There is every mark of respect, almost of veneration, to himself, but an evidently-marked and general resolution to avoid too familiar intercourse with his family. Upon his earnest expostulation and entreaty, one of them discloses the fatal secret—

'Your daughter—
Men join her name with Villeroi's in their talk.'—

The dreadful communication falls like a thunderbolt on a withered tree—the silver cord is at once loosed—the rude blast extinguishes the flickering light of life—the old man is led dying into his house.

The next scene opens with a conversation between Margaret and the beautiful object of her jealousy, the sister of her husband. The following lines, exquisitely beautiful as they appear to us in themselves, are still more admirable from the place in which they are introduced, as a kind of quiet suspense, a brief moment of repose from the agitation of the scene which has just preceded, and that which we feel must immediately follow:—

'Marg. Sure they who lead
A country life, must be more pure and holy
Than we of the crowded city.—There the heart,
Dwelling in profitable solitude,
Holds frequent commune with itself in silence,
Or, which is sweeter still, may meditate
Amid the various melodies of nature,—
The murmuring sounds of insects on the wing,

The

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The song of birds, the flow and fall of waters,—
Which calm the soul and fit it for good thoughts,
Better than silence.—On the works of God
The eye continually rests, and meets
No intervening obstacle to exclude
The observation of his bounties springing
From the fair earth!—Oh! in the country
We seem to stand in our Creator's presence,
Surrounded by the wonders he hath made
To charm and bless us,—while the land, sea, and sky
Are open all before us, and our hearts
Receive an elevation and a purity
From the deep sentiment which breathes from them!
But here, in the town, all is so artificial.
We see and hear of nothing but of man,
And his ingenious, petty, vain devices;
Our very walls confine, and hem us in,
And shut out nature, truth, religion, from us.—
'Tis surely better, Anne, to dwell in the country.
Good is more nigh and evil farther off.

ANNE. I know not that.—Where'er we go, we bear
Our own temptations with us, and still think
To draw from our peculiar state, or station,
The excuse for yielding to them. In the retirement
You deem so blest, full many a bad passion
Thrives more luxuriantly, and strikes deeper root,
Than in the much-libelled city. Where we meet
But few to compete with us, trivial graces
Will oft engender wondrous vanities;
While mighty envies spring from slight occasions,
And small offences, falling on a mind
Which has but little to divert its thoughts,
Will kindle deep and lasting enmities.

MARG. Well!—Yes!—It may be so!—Yet, still I wish
My lot had fallen with you amid the mountains,
Or any where but here!'—pp. 63-65.

Villeroi enters when Margaret is alone, and sternly, fiercely, madly refuses to release her from her sinful vow; at the height of his violence he is interrupted by Albert—a quarrel, and mutual defiance, of course, ensues. But before Margaret, even if she could have found courage to reveal her perilous situation to her husband, can recover her scattered thoughts, or come to any deliberate resolution, they break in with the intelligence of her father's desperate state, and the old man is brought forward, manifestly in the last extremity. He dies, protesting his confidence in his daughter's innocence—

'Tis no fault of thine.—
No, my poor girl, thine excellence and beauty

Have

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Have been thy foes in this.—My daughter—Albert—
Nearer—Oh! nearer—Oh!—The icy hand
Of death lies cold upon my stricken heart,
And the blood freezes round it.—No revenge.—
My son—Remember—I forgive them.—Margaret,
A father's blessing on thee.—Bless thee!—bless thee! (*dies.*)'—
pp. 78, 79.

Margaret becomes almost frantic; at length, she breaks out in a passionate sorrow—

'Father, awake!—Arise!—Thy last uttered words,
Spoke tenderly—recall them—do not leave
Those blessings on my soul, which, undeserved,
Burthen it worse than curses.—Hear me!—Hear me!
I was the petted child of thine old age,
And never saw I the fair light of heaven,
Till these grey hairs were white as they are now:—
But that was nothing:—from my infancy
We were the closest friends.—Of all my playfellows
Thou ever wast the dearest, merriest;
Always the first to answer to my call,
The last that e'er was wearied.—My own father,
Hear me yet once again:—I am very wretched;
Do not forsake me now.—Father, arise—
And hear thy guilty daughter—hear and forgive.
ALBERT. His *guilty* daughter.—Oh! My swelling heart!'—p. 80.

The confession of *guilt* is taken, of course, in its worse sense by De Koëning. Margaret is led in—and he hastens now, with all the indignation of an injured husband, but still with the calm dignity of his character, to his appointment with Villeroi. Villeroi owns his passion for Margaret—

'———— Love like mine
O'erleaps such barriers—
ALB. Love!—
VILL. 'Twas my word.
ALB. Forbear
With such licentious tongue to name a passion
Thy soul's a stranger to!—What!—Thou!—Man!—Love!—
It never touched thee.—Love!—Why, it exists
In self-devotion; sacrifice and toil
Are the clear air it breathes in; it delights
Apart—unseen, unknown—to meditate
The bliss and fair report of her it worships;
It is contented to pour forth itself
In beneficial services, nor asks
Return but in the frank acceptance of them,
And the delighted knowledge of the good
By its own act achieved.—For shame!—Presume not

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many reasons, not to abandon the labour we have imposed upon ourselves, tedious and unpleasant though it be, of examining this book in a more detailed manner than usual. Were we to shrink from the task our motives for doing so would, we are aware, be very industriously misrepresented; and if we performed it superficially, or delayed it too long, the advantages which may result to the public and to posterity from a close examination of assumed facts, and of unsound opinions founded upon them, whilst contemporary witnesses can still be appealed to, might be lost. We shall, however, limit our observations, as much as we possibly can, to those parts of Colonel Napier's work which are most interesting to our own countrymen—we mean the transactions in which British troops bore a part, or which had an immediate influence on the operations in which they were engaged.

Colonel Napier gives the following statement of the numbers and distribution of the French force in Spain at the period when Sir Arthur Wellesley undertook his first military enterprize in that kingdom:—

'Before I embark on the full and broad stream into which the surges and eddies of the complicated warfare that succeeded Napoleon's departure from the Peninsula settled, I must give a general view of the state of affairs, that the reader, comprehending exactly what strength each party brought to the encounter, may judge more truly of the result:—

'FRENCH POWER.	Men.	Horses.
The French, having received some reinforcements of conscripts, amounted, in the beginning of July, including the king's guards, to about	275,000	
In hospital 61,000	68,000	
Stragglers and prisoners borne on the states 7,000		
Total under arms	207,000	36,000
The military governments, lines of correspondence, garrisons, and detachments, absorbed	32,000	3,000
Present under arms with the corps d'armée	175,000	33,000

'The actual strength and situation of each corps d'armée was as follows:—

Under the King, covering Madrid.	Inf. & Art.	Cavalry.
First corps, in the valley of the Tagus	20,881	4,200
Fourth corps, La Mancha	17,490	3,200
Division of Dessolles, Madrid	6,864	
King's French guards, Madrid, about	4,000	1,500
Total	49,235	8,900

In

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In Old Castile, under Marshal Soult.		
Second corps, Zamora, Tora, and Salamanca . .	17,707	2,883
Fifth corps, Valladolid	16,042	874
Sixth corps, Astorga, and its vicinity . . .	14,913	1,446
Total . .	48,662	5,203
In Aragon, under General Suchet.		
Third corps, Zaragoza, Alcanitz, &c. . . .	15,226	2,604
In Catalonia, under Marshal Augereau.		
Seventh corps, Vich, Gerona, and Barcelona .	30,593	2,500

'In addition to these corps there were twelve hundred men belonging to the battering train; four thousand infantry under Bonnet, at St. Andero; and two thousand two hundred cavalry under Kellerman, in the Valladolid country.

'The fortresses and armed places in possession of the French army were St. Sebastian, Pampeluna, Bilboa, Santona, St. Andero, Burgos, Leon, Astorga, on the northern line; Jacca, Zaragoza, Guadalaxara, Toledo, Segovia, and Zamora, on the central line; Figueras, Rosas, and Barcelona, on the southern line.

'It needs but a glance at these dispositions and numbers to understand with what a power Napoleon had fastened upon the Peninsula during his six weeks' campaign. Much had been lost since his departure, but his army still pressed the Spaniards down, and, like a stone cast upon a brood of snakes, was immovable to their writhings. Nevertheless, the situation of Spain, at this epoch, was an ameliorated one compared to that which, four months before, the vehemence of Napoleon's personal warfare had reduced it to. The elements of resistance were again accumulated in masses, and the hope, or rather confidence, of success was again in full vigour; for it was in the character of this people, while grovelling on the earth, to suppose themselves standing firm; and, when creeping in the gloom of defeat, to imagine they were soaring in the full blaze of victory.'—vol. ii. pp. 332-334.

This passage shows what an immense force Napoleon had deemed it necessary to leave behind him in the Peninsula, though he was about to be involved in an Austrian war. Yet Colonel Napier has told us, that in Spain, 'after the first burst of indignation, the cause of independence created little enthusiasm.'—(Preface, p. iv.) But the above extract affords specimens also of some defects which are habitual to our author—his exaggeration of the merits of Napoleon—his uncompromising hatred of the Spaniards—his inflated style—and his forced rhetorical figures, not always very applicable to the subject, nor very ornamental in themselves, nor even quite intelligible. He is very fond of taking his metaphors from rivers, and accordingly we find him, at the beginning of the above passage, preparing to embark on a '*broad stream*,' into which 'the surges and eddies' of 'complicated

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cated warfare' had 'settled.' The truth is, however, that the war in the Peninsula continued to be a warfare of 'surges and eddies' long after the period here alluded to; and it can hardly be said to have assumed the semblance of a '*broad stream*' until the allied army moved forward from the frontier of Portugal on the opening of the campaign of 1813, and continued its march, with uninterrupted success, to the Pyrenees. But the unsuitableness of the metaphor at the commencement of this paragraph is much surpassed by the incongruity and absurdity of the simile which occurs towards its close. What similitude or analogy is there between the inert pressure of a stone upon a brood of wounded snakes, unable to do it the slightest injury, and the active hostility of a French army, suffering, however, in spite of its activity, strength, skill, and energy, an almost daily diminution of force from the harassing warfare of the Spaniards? Such freaks of an ill-regulated imagination might be held, perhaps, to be of good promise in a very youthful poet, but more soundness of judgment is expected from an historian, even in his first attempts, especially if he be of mature age.

Colonel Napier gives the following account of the numbers of the Spanish armies at this period:—

'In the south-eastern Provinces . . . . . 20,000 men.
In the north-western ditto . . . . . 25,000 „
In Andalusia, or covering it . . . . . 70,000 „

But he says—

'The Spanish troops were, however, far from being serviceable in proportion to their numbers; most of them were new levies, and the rest were ill-trained. The generals had lost nothing of their presumption, learnt nothing of war, and their mutual jealousies were as strong as ever. Cuesta still hating the junta, was feared and hated by that body in return, and Venegas was placed at the head of the Carolina army as a counterpoise to him. Romana, also, was obnoxious to the junta, and in return, with more reason, the junta was despised and disliked by him. In Valencia and Murcia generals and juntas appeared alike indifferent to the public welfare, satisfied if the war was kept from their own doors. In Catalonia there never was any unanimity.'—vol. ii. p. 336.

The following is the general description which Colonel Napier gives of the *Partidas* or guerillas:—

'It was at this period that the celebrated *Partidas* first commenced the *guerilla*, or petty warfare, which has been so lauded, as if that had been the cause of Napoleon's discomfiture. Those bands were infinitely numerous, because every robber, that feared a jail, or that could break from one; every smuggler, whose trade had been interrupted; every friar, disliking the trammels of his convent; and every idler, that wished to avoid the ranks of the regular army, was to be found either as chief or associate in the *partidas*. The French, although harassed

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harassed by the constant and cruel murders of isolated soldiers, or followers of the army, and sometimes by the loss of convoys, were never thwarted in any great object by these bands; but the necessity of providing subsistence, and attaching his followers to his fortunes, generally obliged the guerilla chief to rob his countrymen; and, indeed, one of the principal causes of the sudden growth of this system was the hope of intercepting the public and private plate, which, under a decree of Joseph, was bringing in from all parts to be coined in Madrid; for that monarch was obliged to have recourse to forced loans, and the property of the proscribed nobles and suppressed convents, to maintain even the appearance of a court.'—vol. ii. pp. 345, 6.

Our historian seems to think that robbery is not robbery, when it is carried on by a powerful invader; and that on such occasions the real robbers are those only who oppose resistance to the plunderers and oppressors of their country. This doctrine will amply justify the execution, hitherto deemed so unjust, of the Scottish hero Wallace; and according to it, even Alfred the Great himself will have been, at one period of his life, a mere *brigand*. But our author's general description of the guerilla system—of the composition of these bands—and of the nature and value of the assistance they rendered to the cause, is so much at variance with the particular services which he himself occasionally ascribes to them, and with the admitted results of their operations, that his opinions and his facts are continually warring against one another. This must always be the case, however, with an historian who has the misfortune to be unable or unwilling to control his own passions and prejudices. It is obvious, however, that in many passages which occur in his history, our author is strongly worked upon by two opposite influences. He is anxious above measure to infuse into his readers his own feelings of hatred to, and contempt for, the Spaniards; but he is at the same time extremely desirous to preserve for the French armies the credit of having had very great difficulties to struggle against. The following paragraph affords an example of this *trimming* method of writing history:—

'That the guerilla system could never seriously affect the progress of the French, is proved by the fact, that the constant aim of the principal chiefs was to introduce the customs of regular troops; and their success against the enemy was proportionate to their progress in discipline and organization. There were not less than fifty thousand of these irregular soldiers, at one time, in Spain; and so severely did they press upon the country that it may be assumed as a truth that if the English army had abandoned the contest, one of the surest means by which the French could have gained the good will of the nation would have been the extirpating of the *partidas*. Nevertheless, a great and unquestionable advantage was derived by the regular armies, and especially by the British, from the existence of these bands; the French corps could never

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never communicate with each other, nor combine their movements, except by the slow method of sending officers with strong escorts; whereas their adversaries could correspond by post, and even by telegraph—an advantage equal to a reinforcement of thirty thousand men.'—vol. ii. 347, 8.

In the beginning of this passage, Colonel Napier tells us that 'the guerilla system could never seriously affect the progress of the French,' and at the conclusion of it, nevertheless, he estimates fifty thousand guerillas as equivalent to an addition of thirty thousand regular troops to the allies. But let us examine the argument by which our author proves, to his own satisfaction at least, that 'the guerilla system could never seriously affect the progress of the French.' His proof lies in this—that because 'the constant aim of the principal chiefs was to introduce the customs of regular troops; and their success against the enemy was proportionate to their progress in discipline and organization;' therefore *the system* could not seriously affect the progress of the French. But where did Colonel Napier learn that discipline and organization are not essentially necessary to every military body whatsoever? The endeavours of the guerilla chiefs to introduce these qualities into their bands, proves only that they used the same means which all other intelligent and zealous commanders use, to render the body of men under their orders more efficient. Whether that body be great or small; whether it form a part of a large army, carrying on what is called regular war, or it be required to act independently and in a desultory manner, organization and discipline are equally necessary; and the more perfectly they are established, the greater will be the success obtained. The distinction between a guerilla system and a system of regular armies consists in their mode of making war, and not, as Colonel Napier seems to think, in organization and discipline being requisite in the one case and not in the other. It is not unprofitable to compare, occasionally, Colonel Napier's crude notions upon war in general, and his statements respecting the Spanish war in particular, with the more matured opinions and more authentic accounts of some of the ablest French officers. Marshal Suchet, in speaking of the defeat of Blake's army at Belchite, 18th June, 1809, says:—

'But in spite of the numerical force of that army, and the pains which had been taken to render it formidable, it was in fact only auxiliary in the cause which it came to defend; and the insurrection, profiting by its losses, became presently more dangerous than it. The remains of that army having either returned to their homes, or having dispersed themselves throughout the country, served to augment the bands of partisans already formed, and which were thus supplied with good officers and trained soldiers. . . . . *Then began really in the north of Spain that new system of resistance which some chiefs afterwards turned*

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turned to account with great ability; and which proved a much more efficacious defence to the country than could have been a regular war carried on by disciplined armies.'—Mémoires de Suchet, vol. i. pp. 41, 2.

Having given Colonel Napier's account of the French, and of the Spanish force, we shall add what he says of the strength of the British army which was about to enter Spain:—

'The 27th of June, the English army, breaking up from the camp of Abrantes, and, being organized in the following manner, marched into Spain:—

			Artillery.			
Six brigades,			30 guns,		comd. by Major-gen. Howorth.	
			Cavalry.			
Three brigades,			3047 sabres,		comd. by Lieut.-gen. Payne.	
			Infantry.			
1st div. of	4	brigades,	6023	bayonets,	comd. by	Lieut.-gen. Sherbrooke.
2d do.	2	do.	3947	do.	do.	Major-gen. Hill.
3d do.	2	do.	3736	do.	do.	Major-gen. Mackenzie.
4th do.	2	do.	2957	do.	do.	Brig.-gen. Campbell.
5 divs.	13	brigades.	19,710	sabres and bayonets.		
—	—		1287	Engineers, artillery, and waggon-train.		
Grand total			20,997	men, and 30 pieces of artillery.		

'The 8th (July), the head-quarters were established at Plasencia. The 10th, the army arrived at that place, and was, soon after, joined by a regiment of cavalry and two battalions of infantry from Lisbon. At this period Cuesta was at Almaraz, and Victor, of whose intermediate movements it is time to take notice, was at Talavera de la Reyna.'—vol. ii. pp. 356, 7.

Having shown the situation of the armies about to be immediately opposed to each other in the valley of the Tagus, Colonel Napier adverts also to the French forces then in the north-western provinces of Spain, and after stating that Beresford was instructed to look carefully to the pass of Perales, he adds—

'But the pass of Baños was still to be guarded, and for this purpose sir Arthur applied to Cuesta. The Spanish general was at first unwilling to detach any men to that quarter, yet finally agreed that two battalions from his army and two others from the town of Bejar, at the other side of the pass, should unite to defend Baños, and that the Duke del Parque should also send a detachment to the pass of Perales.'—vol. ii. p. 361.

General Cuesta has been often blamed for allotting too small a force to defend the pass of Baños. It should be recollected, however, that an intrigue was then actually carrying on at Seville, by the junta, and the *British minister*, to diminish Cuesta's command, and it was very natural, therefore, that the Spanish general, whom we cannot suppose to have been wholly uninformed of that intrigue, should have been extremely jealous of any proposition made to him to detach a considerable body of his troops. But the

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the real question, after all, is this—could ten Spanish battalions, if Cuesta had detached so many, have stopped Soult and Ney at the Puerto de Baños? We apprehend they could not.

'The 10th, Sir Arthur Wellesley had proceeded to Cuesta's head-quarters, near the Col de Mirabete, to confer with him on their future operations.'—vol. ii. p. 361.

'The discussion between the generals lasted two days: but, with the approbation of the supreme junta, it was finally agreed that the British and Spanish armies, under Sir Arthur and Cuesta, should march, on the 18th, against Victor, and that Venegas, advancing, at the same time, through La Mancha, should leave Toledo and Aranjues to his left, and push for Fuente Duenas and Villa Manrique on the Upper Tagus.'—vol. ii. p. 362, 3.

This statement is worded so as to convey an impression, that in the discussion which took place between the generals, there was a considerable difference of opinion, and that the supreme junta, being consulted in the course of the discussion, finally adjusted their differences. The fact is, however, that there was no such difference of opinion as this passage would imply; and the supreme junta being at Seville, its intervention to finish the discussion was not possible. Indeed, the arrangements agreed upon by the generals were no sooner known to the junta than they were thwarted by it, as we learn from the following sentence:—

'That body, after having agreed to the plan upon which the armies were acting, concluded, in the fulness of their ignorance, that the combined troops in the valley of the Tagus would be sufficient to overthrow Joseph, and, therefore, secretly ordered Venegas not to fulfil his part.'—vol. ii. p. 371.

Colonel Napier allots also much more time to the discussion than it actually occupied, for Sir Arthur Wellesley arrived so late at Almaraz on the evening of the 10th, that he saw the Spanish troops between that place and Cuesta's head-quarters by torch-light, and he set out to return to Plasencia early on the morning of the 12th.

Our author tells us next, that—

'The valley of the Tagus, into which the army was *about to plunge*, is intersected by several rivers, with *rugged banks* and *deep channels*; but their courses being very little *out of the parallel* of the Tagus, the Alberche is in a manner *enclosed* by the Tietar.—vol. ii. p. 365.

Colonel Napier talks here of the army being *about to plunge* into the valley of the Tagus, having, no doubt, still before him his imaginary mountains, spoken of in the first volume as forming the *basin* of Madrid.* The army had, however, been marching in the valley of the Tagus all the way from Abrantes,

* See our first article on Colonel Napier's book.

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keeping as near to that river as the nature of the roads would admit of its doing. He speaks also of the valley into which the army was *about to plunge* being intersected by several rivers, with 'rugged banks and deep channels;' and of 'their courses being very little *out of the parallel of* the Tagus'—meaning, of course, that these rivers and the Tagus run in lines nearly parallel to each other. And then he talks of 'the Alberche being in a manner enclosed by the Tietar.' All this description is, however, calculated much more to mislead and to perplex than to instruct the reader. The banks of the two principal rivers, the Tietar and the Alberche, are not rugged, but level and smooth, in that part of their course which the British army had to do with. The channels in which they run are not deep, nor were the rivers themselves so at the time alluded to, for both rivers were then fordable. It is strange that Colonel Napier should be so ignorant of these matters; but it is stranger still, that he should so often enter upon details with respect to which he must be conscious that he is himself not sufficiently acquainted to convey accurate information to others.

It is not very easy to understand what is meant by one river enclosing another; but of the two rivers here mentioned, the Alberche may be said rather to enclose the Tietar than the Tietar the Alberche; for in all *Spanish* maps of Spain that we have seen, though not in Colonel Napier's, the latter river is made to form an elbow, within the bend of which the Tietar has its source.

Immediately after the passage last quoted, the Colonel proceeds thus:—

'Now, Sir Robert Wilson, having a detachment of four thousand Portuguese and Spanish troops, had ascended the right bank of the latter river, and gained possession of the passes of Arenas, which lead upon Avila, and of the pass of San Pedro Bernardo, which leads upon Madrid: in this position he covered the Vera de Plasencia, and threatened Victor's communications with the capital. The French marshal was alarmed, and a movement of the whole army in the same direction would have obliged him to abandon the Lower Alberche; because, two marches effected beyond Arenas, in the direction of Escalona and Maqueda, would have placed Sir Arthur Wellesley between the first corps and Madrid. But, on the other hand, the line of country was too rugged for rapid movements with a large body; and it was necessary first to secure a junction with Cuesta, because Victor, having recovered his third division on the 7th of July, was again at the head of twenty-five thousand men. With such a force he could not be trusted near the Spaniards, and the British general therefore resolved to cross the Tietar, at the Venta de Bazagona, and march by Miajadas upon Oropesa.'—vol. ii. p. 365.

Colonel Napier is very fond of assuming self-importance, by putting

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putting forward discussions which have, when superficially looked at, an air of great professional acumen, but which, when closely examined, resolve themselves generally into some theoretical project, wholly impracticable, or extremely injudicious. A specimen of these sort of discussions, too long to be extracted, occurs in vol. ii. pp. 354, 5—where the author, after announcing that 'there were three lines of offensive operations open,' proceeds to examine separately and in due form the respective merits of each, although the ineligibility of two of them, and the motives for adopting the third, might have been made obvious with much less pomp of argument, and with much more clearness and brevity of expression.

The passage we have last extracted affords another example of a similar nature. Colonel Napier observes, that '*a movement of the whole army in the same direction* (viz. the direction taken by Sir Robert Wilson) would have obliged him (Marshal Victor) to abandon the Lower Alberche.' Now, we shall, in the first place, show that the movement here suggested, of the whole army, by the route taken by Sir Robert Wilson, was altogether impracticable, on account of natural obstacles—and in the next place, that had it been practicable, it would have been in the greatest degree injudicious. If Colonel Napier, who claims credit for being an *eye-witness* of the war, and for being also a great *strategist*, is ignorant of these things, it follows that he is a very unsafe guide for any one who is seeking after either historical or professional knowledge; and if not ignorant, he should have at once told his readers that the British army marched by the Venta de Bazagona, *because* there was no other road—that after passing the Tietar at Bazagona, it took the route by Miajadas and Centinello, *in order* that the great road from Almaraz to Talavera might be left free for the march of the Spanish army—and that Sir Arthur Wellesley did not march upon Escalona, *because* he knew that it would have been a very dangerous movement to have so widely separated the British and Spanish forces. But Colonel Napier, unhappily both for himself and for his readers, seems to be impressed with a belief that simplicity, either in the art of war or in writing, is an indication of want of genius; although pretty convincing proofs of the contrary are before him, whether he consults the military operations and the letters of the Duke of Wellington, or reconsiders the wars and the commentaries of Cæsar, with which he is anxious at all times to appear exceedingly familiar.

But we have promised to show that the whole of the British force could not possibly have marched by the route taken by the detachment under Sir Robert Wilson. We shall do so by making a few

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a few extracts from the daily reports transmitted by that officer to the British quarter-master-general. The first of these reports is dated on the 15th of July, from Jarraiz, the end of the first day's march. Sir Robert says in it:—

'I have the honour to acquaint you that I arrived here this morning with the brigade under my command [the Lusitanian Legion], which was augmented last night by two Spanish battalions of infantry, one of Merida, the other Seville. . . . . The Spanish battalions are composed of very fine men, and General Cuesta appears, in his selection, to have been influenced by the greatest kindness towards me.'

We have given this extract chiefly because Colonel Napier has seized every opportunity he could find to represent General Cuesta as having been influenced at all times by a deep-rooted feeling of enmity towards the British. The next report is dated at Losar, on the 16th, and is as follows:—

'I have arrived at Losar, after passing a distance of fourteen miles of very narrow and rough road, through a defile formed by high hills on the right, and lofty (I believe almost impracticable) mountains on the left, but the sides of the hills and the whole defile are covered with chestnut, lime, and forest trees, and from Ruacas to this place there is a continued vineyard—gardens, or cultivated ground in the interstices. . . . . From the narrowness of the paths, the thick woods, and high ground, all offensive operations in this part of the Vera must be extremely difficult, and *never can be upon any great scale.*'

The next report is dated on the 17th July, from Villanueva, and says—

'The country was more difficult than on any of our former marches, and the roads narrowed still more, and approached nearer the chain of mountains which I have before described on my left. Several streams, over which there are small wooden bridges, form very formidable passes; but although the woods have been greater than any in our former marches, the vine and garden cultivation has not been less. . . . . I find the greatest cordiality from the people, and the troops behave exceedingly well.'

The next report is dated at Candeleda, on the 18th of July.

'The first part of the road to-day was considerably better, but the latter part was *impassable for artillery.*'

On the same day Sir Robert Wilson writes from Arenas,—

'As I found the country was more open from Candeleda to this place than heretofore, I advanced with the Portuguese dragoons and arrived here this evening. . . . . The town of Arenas is embayed in the bottom of a deep valley. It had five hundred houses, of which three hundred were burnt by the enemy, but the palace of the Infante Don Luis, *given to Godoy*, remains uninjured. The people received us with enthusiasm; indeed our whole march has been a jubilee.'

The report of the 19th is from Arenas, and that of the 20th from

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from Buenaventura. The report of the 21st is from Ladrada: it says—

'The people are remarkably well-disposed, and without any scruple insured us rations for three days, besides sending to our camp everything they can dispose of for the comfort of the soldiers.'

The report of the 22nd is from Ladrada, and that of the 23rd from Escalona. Our chief object in giving these extracts from Sir Robert Wilson's letters to the quarter-master-general has been to show that a 'movement of the whole army in the same direction' would have been utterly impracticable: they serve, however, at the same time, to exhibit the character and conduct of the Spaniards in a light very different from that in which they are presented by Colonel Napier.—Sir Arthur Wellesley's opinion of the generalship of our *strategical* historian, when he proposes that the British commander should carry his army two marches beyond Arenas, in the direction of Escalona and Maqueda, in order that he might place himself 'between the 1st corps and Madrid,' may be learnt from Sir Arthur's letters to General O'Donoju, dated at Miajadas and at Centinello on the 18th and 19th July.*

The next paragraph in Colonel Napier's book furnishes an example of his carelessness about facts, and the consequent injustice of the censures which he frequently founds upon them, and which have, in many instances, too much the appearance of being tainted by some capricious feeling, or personal dislike, very unworthy of an historian who is, professedly at least, in search only of truth.

'The 16th, two companies of the *staff corps*,† with a working party of

* We may as well give two extracts:—'Miajadas, 18th July, 1809:—I shall probably meet you at Oropesa, but if I should not, I mention now, that I think it would be desirable that we should revise our plan for the attack of the enemy, so far as goes to the separation of the two armies. When at Escalona, I shall be nine leagues from you, and the enemy will have been perfectly acquainted with my movements, which will have been made along his front. It appears to me, that we ought to concentrate our attack, and both armies to cross the Alberche at or near the same place. As long as we are together, no accident can happen to either; when separate, we are both liable to be attacked by the enemy's whole force, and it does not appear to me that any object will be gained by our separation.'—'Centinello, 19th July, 1809:—I still think that the two armies ought to co-operate with each other, as near as possible, in order to throw our whole concentrated force upon the enemy, and insure a victory to your new troops. When we shall cross the Alberche the engagement will have begun, the enemy will have assembled his force, and the distance of three leagues between the Spanish and British armies will be too much, and will expose both to some risk. I wish you to consider these points, and I will meet you to-morrow at Oropesa, or at Montalva, if that place shall be more convenient to you, if you will name the hour.'

† The Royal Staff Corps was first formed during the late war. It consisted of military artificers and labourers, and was under the immediate control and direction of the quarter-master-general. It rendered many very important services during the war in opening communications, constructing or repairing bridges, and other duties

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of five hundred men, marched from Plasencia to Bazagona, to throw a bridge over the Tietar. The duke of Belluno had wasted many days in dragging up fifteen pontoons from the Tagus, to form his bridge at that place, and when he retired upon Talavera, he destroyed the greatest part of the equipage; but the English officer employed on this occasion pulled down an old house in the neighbourhood, felled some pine-trees in a wood three miles distant, and, uniting intelligence with labour, contrived, without other aid than a few hatchets and saws, in one day, to throw a solid bridge over the Tietar.'—vol. ii. pp. 365, 366.

The inaccuracy of the facts assumed by Colonel Napier in the above passage will be made apparent by the following documents:—

Extract from a memorandum addressed by the quarter-master-general to his deputy, Lieutenant-Colonel Delancey, and dated at the Venta de Bazagona, 10th July, 1809:—

'The staff corps will move without loss of time to the banks of the Tietar, near the Venta de Bazagona, to be employed in *perfecting* the bridge which *has been begun*. The corps may perhaps be able to march to Malpartida this afternoon, and proceed to the banks of the Tietar to-morrow morning. The river is divided into two branches at this place, and the one next the left bank is very narrow. A complete bridge could easily be constructed over this narrow branch of the river by anchoring the present flying bridge in the centre, and connecting it with each bank by trees. But perhaps by taking the flying bridge from the smaller branch, and applying it and *all the other boats* to the larger one, a complete bridge might be formed over it with the assistance of trees; and the bridge over the smaller branch of the river might be formed by trees alone. Major Dundas will be able, however, to judge best upon the spot what should be done, keeping in mind that if the ford is found good, and the weather should appear likely to continue settled, it will be sufficient that the bridge should be made for *infantry only*, and the smaller mules that are not strong enough to stand the force of the stream.'

For some time before the staff corps was sent to the banks of the Tietar Sir Robert Wilson had been stationed there with the Lusitanian Legion; and on the 13th of July a division of infantry was ordered there under Major-General Mackenzie, whose instructions from the quarter-master-general concluded as follows:—

'The staff corps is employed in the construction of a bridge over the river Tietar, towards the completing of which you will be pleased to give every aid in your power.'

We learn from the above documents that more materials, more time, and more hands were employed in the construction of the

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duties of a similar nature. The officers of the corps acted either regimentally or individually, as required by the quarter-master-general, and most of them were distinguished by their scientific acquirements, as well as by their zeal and practical adroituess in the execution of the various services allotted to them.

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English bridge than Colonel Napier seems to have been aware of. But it is fair that we should also show how little ground there was for the censure cast by our historian upon the French marshal. If Colonel Napier's personal experience during the peninsular war did not make him aware of the fact, his intimacy with ancient authors should surely have informed him, that the rivers of Spain which have their sources in lofty mountains are liable to be suddenly flooded in the early part of the summer, even in the most serene weather, by the melting of the snow in these mountains. The Tietar is a river of that description, and the season when those floods take place is exactly that at which Marshal Victor had occasion to construct his bridge over it. We have seen by the quarter-master-general's letter what the state of the river was at the Venta de Bazagona on the 10th of July. On the 18th of the same month it had fallen so much that the English bridge, which was a bridge almost wholly on tressels, and for infantry only, appeared to be almost unnecessary even for their use.*

'The 20th, the troops reached Oropesa; but as their marches had been long, and conducted through a difficult country, they halted the 21st, on which day Cuesta, who had moved from Almaraz by Naval Moral and Arzobispo, passed Oropesa, and united his whole force at Velada, except a small detachment, which marched along the south bank of the Tagus, to threaten the French by the bridge of Talavera.'—vol. ii. p. 366.

Our author again misleads his readers in this passage, for the marches of the British from the Venta de Bazagona to Oropesa were not of an unusual length; and the country, in place of being rugged, is level. Its being partially wooded, which was its only ruggedness, instead of being an impediment, was a very great advantage and convenience to an army marching under a burning sun through a country almost uninhabited.

'The 22nd, the allies moved in two columns, to drive the French posts from Talavera, and Cuesta, marching by the high road, came first up with the enemy's rear-guard, near the village of Gamonal; then commenced a display of ignorance, timidity, and absurdity, that has seldom been equalled in war; the past defeats of the Spanish army were rendered quite inexplicable; the little fruit derived from them by Marshal Victor quite inexplicable. General Latour Maubourg, with two thousand dragoons, came boldly on to the table-land of Gamonal, and sus-

* It may be interesting to show, by a brief extract, what was the state of the Tietar in November, 1808, at the same part of the river. In a letter to Sir John Moore, dated Almaraz, 10th November, 1808, Lieutenant-General Hope says:—

'One difficulty of a serious nature presents itself in an early stage of the march to Plasencia—I mean the passage of the river Tietar, four leagues from this. The ferry has been reconnoitered this morning. It is two hundred yards wide, deep and rapid, and is passed by a single boat; two more boats might, however, be got.'

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taining a cannonade, not only checked the head of the Spanish leading column, but actually obliged General Zayas, who commanded it, to display his whole line, consisting of fifteen thousand infantry and three thousand cavalry; nor did the French horsemen give back at all, until the appearance of the red uniforms on their right informed them that it was time to retire. Then, and not till then, Latour Maubourg, supported by some infantry, retreated behind the Alberche, and without loss, although many batteries, and at least six thousand Spanish horse, were close on his rear: the latter could never be induced to make even a partial charge, however favourable the opportunity, and by two o'clock the whole French army was safely concentrated on its position.'—vol. ii. pp. 367, 368.

It is hard to say whether there is most self-sufficiency, ignorance, or injustice, in this passage. We shall point out these defects as briefly as we are able. At the conference which took place at Cuesta's head-quarters near Almaraz, on the 11th of July, it had been anticipated, in consequence of the information then possessed respecting the enemy, and the description given of the country by the Spaniards, that Marshal Victor's army would be found in a position beyond the river Alberche, on the advance of the allies towards Talavera. And it was agreed upon, that in that case, the British should turn the right flank of the French position, whilst the Spaniards should attack it in front. Accordingly the order of march of the British column, on the 22nd of July, was arranged with reference to that plan. To any one at all conversant with military movements, that order of march* will at once show, that the

* 'Head-quarters, Oropesa, 21st July, 1809.

'*Order of Movement.*

'The army will march to-morrow morning, the 22nd of July, at four o'clock—the divisions by their left—in the following order:—

ADVANCED GUARD.

Two squadrons of light cavalry.
Five companies of the 60th regiment (rifle).
The artillery of the Lusitanian Legion.
Colonel Donkin's brigade of infantry.
A brigade of six pounders.
Major-General Mackenzie's brigade of infantry.
Brigadier-General Anson's brigade of cavalry.

COLUMN.

Lieutenant-General Sherbrooke's division of infantry.
Major-General Hill's division of infantry.
The 4th division of infantry.
The brigades of artillery to be in front of the divisions of infantry to which they are respectively attached.
The cavalry.
The reserve artillery and ammunition.
The baggage of the whole army to be in rear of the reserve artillery.
Lieutenant-General Payne will order one troop of cavalry to march in rear of the baggage.
The mules with the regimental camp-kettles, the intrenching tools, and the medicine

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the object contemplated was not merely by a direct attack 'to drive the French posts from Talavera,' which was obviously held in a temporary manner only by a detached body of Victor's force; but to turn these posts and bring the British troops into their proper situation, with reference to the previously concerted attack to be made upon the real position of the enemy's army beyond the Alberche. And it was quite clear that the preparatory movement required with a view to this latter object would have the effect of dislodging the French posts from Talavera, without there being the smallest occasion for a direct attack upon them for that purpose. When the British column approached the ground where the Spanish troops were forming, and which Colonel Napier calls 'the *table-land* of Gamonal,' although the term is wholly inapplicable, General Zayas informed the quarter-master-general that Cuesta had not yet left the village* where the Spanish head-quarters had been established the night before, but that he was himself prepared to attend to any instructions which the English general might have for him. The quarter-master-general referred him to Sir Arthur Wellesley, making him aware, however, at the same time, of the intended line of march of the British column; the effect of which would obviously be, to induce the French advanced guard speedily to abandon the town of Talavera. The British column continued its movement accordingly, having on its left a range of moderately elevated and easily accessible hills, and leaving the town of Talavera about a mile and a half to its right; the plain which intervened between the column and the town being covered with olive plantations and vineyards. A part of the British cavalry was pushed forward more rapidly than the rest of the column, and inclining to the right, when it had passed the olive grounds, and approaching the road from Talavera to the bridge over the Alberche, that movement caused the French to hasten their retreat from Talavera, pursued by the Spanish cavalry, until both the British and Spaniards were checked by the fire from the French batteries erected

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cine chests, will march immediately in rear of their respective divisions; as will also the carts allowed for the assistance of men taken ill upon the march.

In addition to the arrangements already made for maintaining regularity in the march of the baggage, a captain will be appointed to superintend the whole; and he is to have the assistance of the assistant provost-marshals of the two rear divisions of infantry. G. MURRAY, Quarter-Master-Gen.'

* Sir Arthur Wellesley mentions the circumstance of General Cuesta's absence from the field on the 22nd of July, in his letter of the 24th of that month to Mr. Frere.—Gurwood, vol. iv. p. 498.—As for Zayas, he was an intelligent, active, gallant, and zealous officer. Sprung from one of the few Moorish families of eminence which remained in Spain when the general expulsion of their race from the Peninsula was effected, on the overthrow of Grenada, the General did not seem to have at all degenerated from a lineage of so much celebrity.

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beyond the bridge over the Alberche. To dislodge an enemy's advanced guard by a simple movement, which forms part of a general and preconcerted plan, can hardly deserve to be designated as 'a display of ignorance, timidity, and absurdity, that has seldom been equalled in war,' merely because an unnecessary collision was avoided, and a large town was spared the injuries which a combat in its suburbs and streets must necessarily have occasioned.

Colonel Napier next tells us—

'It was at all times difficult to obtain accurate information from the Spaniards by gentle means; hence, *the French were usually better supplied with intelligence than the British, while the native generals never knew anything about the enemy, until they felt the weight of his blows.* Up to this period, Sir Arthur's best sources of information had been the intercepted letters of the French; and now, although the latter had been in the same position, and without any change of numbers since the 7th, the inhabitants of Talavera could not, or would not, give any information of their strength or situation; nor could any reasonable calculation be formed of either, until some English officers crossed the Tagus, and, from the mountains on the left bank of that river, saw the French position in reverse. The general outline of an attack was, however, agreed upon for the next morning; but the details were unsettled, and when the English commander came to arrange these with Cuesta, the latter was gone to bed! The British troops were under arms at three o'clock the next morning; Cuesta's staff were, however, not aroused from slumber until seven o'clock, and the old man finally objected to fight that day, alleging, among other absurd reasons, that it was Sunday. There was something more than absurdity in these proceedings. Victor, who was not ignorant of the weak points of his own position, remained tranquil the 23rd, being well assured that no attack would take place, for it is certain that he had a correspondence with some of the Spanish staff, and the *secret discussions between Sir Arthur Wellesley and Cuesta, at which only one staff-officer of each party was present, became known to the enemy in twenty-four hours after;* indeed, Cuesta was himself suspected of treachery by many, yet apparently without reason.'
—vol. ii. pp. 368, 369.

This paragraph is so full of misrepresentations, that we feel some difficulty in determining with which to deal first. In order, however, to spare ourselves and our readers a species of criticism upon which we could not enter without paying a very bad compliment to their understanding as well as to their taste, we shall at once abandon to the lovers of mere gossip all the truly childish attacks which our author makes here, and in several other places, upon General Cuesta.* Colonel Napier's assertion that 'the

* The story that the Spanish veteran had objected to fight on Sunday has been already refuted, and has been abandoned by Colonel Napier himself. The truth is, that one of General Cuesta's greatest errors, under the then circumstances of Spanish affairs,

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'the secret discussions between Sir Arthur Wellesley and Cuesta, at which only one staff-officer of each party was present, became known to the enemy twenty-four hours after,' is of a more serious nature. The two officers alluded to, were Don Thomas O'Donoju, who acted as chief of the staff to the Spanish army, and Colonel Murray, the British quarter-master-general. Colonel Napier's main support for the assertion which he here makes, is, that Marshal Victor remained tranquil in his position beyond the Alberche, during the 23rd, but withdrew from it before day-light on the 24th—the allied army having been put in motion about that time to attack the French position. This, however, is hardly foundation sufficient for a charge so grave as that which Colonel Napier has here *historically* recorded against the Spanish staff—to say nothing of the half-insinuated and half-suppressed imputation against the Spanish general himself. The following are the circumstances of the case:—The position occupied by the French army on the 23rd of July, had not the smallest resemblance to what might be inferred from the representation of the ground on the left of the Alberche, given in Colonel Napier's explanatory *sketch* of the battle of Talavera. Victor's position was not along the course of the Alberche, but had its right flank only on that river, near the village of Cazalegas. The centre and left of the position were on an elevated table-land which stretches in a direct line from Cazalegas to the Tagus; and in front of that table-land there is a low and open country which occupies the angle between the two rivers. At the bridge over the Alberche, which was not far from the junction of the rivers, the French had a strong advanced guard; and there were supports of cavalry between the advanced guard and the main position, which was distant everywhere from two to three miles from the advanced guard. The course of the Alberche from the bridge to Cazalegas was watched by detachments and patroles; and that river was passable in a few places only, not owing to the then depth of the water, or to the ruggedness of the banks, but because its bed is formed in general of very loose and impassable quick-sand. It was obviously not Victor's interest to risk an action against a superior army until he should have effected a junction with Joseph and Sebastiani;—but he hazarded nothing by continuing in the position above described, until either his advanced guard should be forced back from the bridge, or some movement should be made by the allies for the purpose of turning his right flank; for his left was

affairs, was, his being at all times much too prone to seek for occasions to fight battles. Sir Arthur Wellesley says of him in a letter to Mr. Frere, dated at Arzobispo, 4th August, 1809:—'*As usual, General Cuesta wanted to fight general actions.*'—Gurwood, vol. iv. p. 532.

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perfectly secured by the Tagus. No attempt having been made, however, upon his advanced guard, nor any movement threatening his right upon the 22nd, the French marshal, whose position overlooked all the country between him and Talavera, could very well venture to remain in observation during the whole of the 23rd. On the 23rd, however, a part of the British troops moved forward to the *Casa de Salinas*, a ruin situated in a wood on the right bank of the Alberche, and upon a road which leads either up the course of that river along its right bank, or to the village of Cazalegas, by crossing to its left bank at a ford near where the French right was posted. On the same day, also, Sir Robert Wilson's corps, by the movements of which our author has already told us that the French marshal was alarmed, reached Escalona, which is on the Alberche, about three leagues higher up than Cazalegas. It is very clear, therefore, that there were quite sufficient reasons, without supposing treachery, why Marshal Victor should think it expedient to quit his position before day-break on the 24th, although he had not deemed it necessary to do so in the night between the 22nd and 23rd.

We shall next show the injustice of the reproaches which Colonel Napier has cast upon the character and conduct of the Spaniards in the beginning of the passage we have last quoted, and the entire groundlessness of the statement that 'the French were usually better supplied with intelligence than the British, while the native generals never knew anything about the enemy until they felt the weight of his blows.' It is indeed a startling paradox, that the generals of an invading army, in the midst of a country whose whole population was animated against them by the strongest feelings of hatred, were the only commanders who could obtain good intelligence of what was passing around them. Happily, however, Colonel Napier has himself furnished such abundant refutations of this paradox, that we shall find it almost unnecessary to draw upon any other sources of information to show its fallacy and absurdity.

Speaking of Sir Robert Wilson's detachment, Colonel Napier says (vol. ii. p. 406) that 'Victor displayed an unaccountable dread of this small body, which he supposed to be the precursor of the allied army.' It is very clear, therefore, that on this occasion, at least, the French marshal had not been able to obtain accurate intelligence either of the nature of the country through which Wilson's detachment had been marching, or of the amount and composition of its force, or of the real line of march of the main body of the allied army. But, on the other hand, we have seen that sufficient information was possessed at Cuesta's head-quarters on the 11th July to enable the allied generals

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generals to foresee in what position the enemy would be found near Talavera; and to determine how that position should be attacked. And we learn also, by a letter from Sir Arthur Wellesley to General O'Donoju, that Spanish officers could be sent, and were actually sent to reconnoitre the enemy, and that their report was communicated to the British general.*

But Colonel Napier furnishes us with still further evidence of the ignorance of the French leaders at this time, when he tells us (vol. ii. p. 412), 'Victor and the king, frightened by Wilson's partizan corps of four thousand men, were preparing to unite at Mostoles, while Cuesta, equally alarmed at Victor, was retiring from Talavera.' Yet this refers to the 3rd of August, no less than twelve days after Sir Robert Wilson's arrival at Escalona, in the immediate vicinity of the French. And mark, also, the difference between the two cases, which are presented by Colonel Napier as indicating an equal degree of ignorance. Victor and the king were alarmed, without cause, in consequence of their being uninformed of the small number and of the inefficiency of Wilson's detachment; whereas, Cuesta was alarmed with good reason, because he knew with certainty that he was menaced by a hostile army in front, which was much an overmatch for his own, and he had also authentic information that another hostile army, greatly superior to the force under Sir Arthur Wellesley, was approaching in an opposite direction.

Our author says, as we have seen, at page 368, that 'the native generals never knew anything about the enemy;' but at page 413 we read of Cuesta sending to Sir Arthur Wellesley intelligence respecting the strength of the army against which the latter was marching, 'obtained from intercepted dispatches addressed to Soult.' And at the very same time, also, the British being then no more than *seventeen thousand*, and although some intelligence might possibly have been obtained from the prisoners made in the battle of Talavera, we learn that 'Sir Arthur Wellesley was supposed by Joseph to be at the head of *twenty-five thousand* British.' (vol. ii. p. 412.)

These palpable contradictions given by our author to his own statement, that the French had the best intelligence, have reference to the period under our immediate consideration. But as his statement is general, and is applied to the whole war, we shall take the liberty of producing, from other parts of his own work, some still stronger refutations of it. Colonel Napier ob-

* Extract from a letter from Sir Arthur Wellesley to General O'Donoju, dated Plasencia, 13th July, 1809:—'We arrived here last night, and Colonel O'Lalor has this day communicated to me your letter of the 12th, with the information from your officers sent on a reconnaissance towards the Alberche, for which I am much obliged to you.'—Gurwood, vol. iv. p. 475.

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serves (vol. iii. p. 86), 'Desolle's division had returned from Old Castile on the 10th,' [Nov. 1809,] 'and the uncertainty with respect to the British movements obliged the enemy to keep all his troops in hand.' Again, (vol. iii. p. 149,) 'he' [Suchet] 'was still uncertain of Augereau's movements, and, like every other general, *French* or English, found it extremely difficult to procure authentic information.' In vol. iv. p. 221, speaking of the persons who supplied intelligence to the British general, Colonel Napier says, 'The greater number, and the cleverest also, were Spanish gentlemen, alcaldes (magistrates), or poor men, who disdaining rewards and disregarding danger, acted from a *pure spirit of patriotism*, and are to be lauded alike for *their boldness, their talent, and their virtue.*' Again, in the account of the surprise of the French under Girard by General Hill, on the morning of the 28th of October, 1811, at Arroyo Molino, Colonel Napier says, (vol. iv. p. 325,) 'and here was made manifest the *advantage* of possessing the *friendship* of a people so strongly influenced by the *instincts of revenge* as the Peninsulars; for during the night of the 27th every Spaniard in Arroyo, as well as in Alcuesca, knew that the allies were at hand, and not one was found so base or so indiscreet as to betray the fact.' Colonel Napier is so exceedingly alarmed, however, lest this striking example of the honour and patriotism of the Spaniards should make some impression in their favour, that he endeavours to be beforehand with the natural feelings of his reader, by attributing their conduct, even before he announces the fact, to the influence of strong '*instincts of revenge.*' What a faithful and just historian, what an enlightened and benevolent moralist, who teaches his readers to disbelieve altogether in the existence of patriotic sentiments in the breasts of the inhabitants of the Peninsula, and gives to actions which have the appearance of such an origin a vicious parentage! But let us grant to Colonel Napier that '*instincts of revenge*' form part of the national character of the '*Peninsulars*' above all other people, will that render less paradoxical his assertion that the French, who were the only objects of these instincts, were better supplied with intelligence during the war than any other of the belligerents?

In vol. iv. p. 390, when speaking of the siege of Cuidad Rodrigo by Lord Wellington, in January, 1812, he says, 'But though the bridge' [over the Agueda] 'was cast on the 1st, and the siege commenced on the 8th, on the 12th nothing was known at Salamanca. On the 11th Marmont arrived at Valladolid; on the 15th he for the first time heard of the siege.' In vol. v. p. 110, Colonel Napier has also the following quotation from a letter addressed to the Earl of Liverpool by Lord Wellington,

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lington, in which, alluding to his intended operations in Spain, he says,

'My friends in Castile, and I believe *no officer ever had better*, assure me that we shall not want provisions even before the harvest will be reaped; that there exist concealed granaries which shall be opened to us; and that if we can pay for a part, credit will be given to us for the remainder;—and they have long given me hopes that we should be able to borrow money in Castile upon British securities.'

Again, in vol. v. p. 113, we read,

'Moreover, the French correspondence, continually intercepted by the Partidas, was brought to Wellington, and the knowledge thus gained by our side, and lost by the other, caused the timely reinforcing of Hill in Estremadura, and the keeping of Palemboni's Italian division from Madrid for three weeks; an event which, in the sequel, proved of vital consequence, inasmuch as it prevented the army of the centre moving until after the crisis of the campaign had passed.'

Colonel Napier's insinuations that other than '*gentle means*' were requisite to obtain accurate information from the Spaniards, and that such means were successfully employed by the French, is another of his equally unfounded and ungenerous misrepresentations. It is not only strongly contradicted by very many traits of the conduct of the Spaniards during the late war, but it is directly at variance with the character of the inhabitants of the Peninsula throughout the whole range of their history. If they had been such as Colonel Napier represents them to have been, their subjection to the immense power of their adversary could not have been averted even by all the efforts of Britain.

We shall now return to the military transactions in the neighbourhood of Talavera, from which we have been drawn aside that we might show in how many contradictions our historian has involved himself by his endeavours to mould facts from time to time into whatever forms his own prejudices make him desirous that they should assume. We shall find the same spirit pervading his narrative of the military operations to which we have now to advert. Speaking of Cuesta's advance from Talavera on the 24th of July, he says,—

'In the fulness of his arrogant vanity, Cuesta crossed the Alberche on the 24th, and being unable to ascertain the exact route of the French, pursued them, by the road of Toledo, as far as Cebolla, and, by the road of Madrid, as far as El Bravo. On the 25th, still inflated with pride, he caused the troops at Cebolla to move on to Torrijos, and marched himself to St. Ollalla, as if chasing a deer,—but the 26th he discovered that he had been hunting a tiger. Meanwhile Sir Arthur Wellesley, foreseeing the consequence of this imprudence, had sent General Sherbrooke, with two divisions of British infantry and all the cavalry, across

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across the Alberche, to Cazalegas, where, being centrically situated with respect to Talavera, St. Ollalla, and Escalona, he could support the Spaniards, and, at the same time, hold communication with Sir Robert Wilson, who had been at the latter town since the 23rd.'—vol. ii. p. 373.

To any one having no better sources of information than Colonel Napier's work affords, this passage must necessarily convey the impression that Sir Arthur Wellesley's sending a body of British troops across the Alberche to Cazalegas on the 24th was consequent upon the imprudent forward movement of the Spanish general. It was, however, no such thing—for Sir Arthur Wellesley had already written to General Cuesta on the *23rd of July* as follows:—

'I have the honour to inform your excellency that *two divisions* of British infantry, and *one brigade* of British cavalry, will cross the Alberche to-morrow morning at four o'clock, and will proceed to the attack of the right of the enemy's position on the heights near Cazalegas.'

And although it was ascertained, before any of the British troops crossed the ford of the Alberche, that the enemy had retreated, Sir Arthur Wellesley nevertheless continued his forward movement, with a part of his force, as far as Cazalegas, without any reference whatever to Cuesta's march. The following extract of a letter from the Quartermaster-General to Sir Robert Wilson will show what troops were placed at Cazalegas and its neighbourhood on the 24th; and will point out, also, that one very important motive for that arrangement was to facilitate the drawing provisions for the British army from the country in which Wilson's detachment was acting:—

'Talavera, 25th July, 1809.

'Sir Arthur Wellesley wrote to you yesterday, from Cazalegas, on the subject of sending supplies to the army from the country about Escalona, and that through which you have already passed. The left of the army may undoubtedly be furnished from that side. You should be aware, however, of the distribution of the whole to enable you to direct the supplies accordingly. It is as follows:—

'Major-General Mackenzie's division, at the ford of Cardial, one league above Cazalegas.

'The German Legion and Anson's brigade of cavalry, at Cazalegas.

'The remainder of the army, near Talavera.

'You should establish a communication with General Mackenzie, who was instructed yesterday to endeavour to put himself in connexion with you. 'G. MURRAY, Quartermaster-General.'

It appears, therefore, that the above British troops were not sent forward, '*meanwhile*' that Cuesta, '*as if chasing a deer*,' was '*hunting a tiger*,' but before it was known that he would do either the one or the other.

Colonel Napier's information is equally erroneous with respect to

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to '*all the cavalry*' being sent across the Alberche at the same time with the troops under Sherbrooke, and as a consequence, also, of Cuesta's imprudence. The cavalry were not sent forward till the morning of the 27th,* and the object of sending them was to give greater security to General Sherbrooke's retreat, in the event of the enemy advancing;† for General Cuesta had already retired to the bridge over the Alberche, near Talavera, on the afternoon of the 26th.

In giving an account of the affair of the Spanish rear-guard with the advanced guard of the French at Alcabon, Colonel Napier says,—

'Albuquerque, alone, showed any front; but his efforts were unavailing, and the disorder continued to increase until General Sherbrooke, marching out of Cazalegas, placed his division between the scared troops and the enemy.'—vol. ii. p. 381.

We have already seen, however, both by the order to the cavalry dated on the 26th, and by Sir Arthur Wellesley's letter to General Sherbrooke, dated at *half-past nine o'clock on the morn-*

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* 'Head-quarters, Talavera, 26th July, 1809.

'*Order for the Cavalry.*

'Lieut.-General Payne will proceed with the cavalry, before day-break to-morrow morning, to the ford of the river Alberche, where the troops under Lieut.-General Sherbrooke crossed on the morning of the 24th. This ford is opposite the foot of the slope on which the right of the enemy was placed when he occupied the position of Cazalegas. Lieut.-General Payne will report his arrival at the above point to General Sherbrooke, at Cazalegas, and he will cross the river with the cavalry, should General Sherbrooke require his assistance.

'If General Sherbrooke does not find it necessary to call for the support of the cavalry, Lieut.-General Payne will remain on the right bank of the Alberche, at the ford already mentioned, and will send to head-quarters for further orders.

'It is not intended that either the troops already at Cazalegas, or the cavalry under General Payne (if the latter pass the river), should return by the ford to which Lieut.-General Payne has been directed to proceed to-morrow morning. And in the event of falling back before the enemy, the whole are to re-cross the Alberche at a ford which there is about a mile above the bridge, and at that near the bridge.

G. Murray, Quartermaster-General.'

† The following were Sir Arthur Wellesley's instructions to General Sherbrooke:—

'*Talavera, 27th July*, 1809, *half-past* 9, A.M.

'My dear Sherbrooke,—As soon as you shall receive this you may withdraw across the river; leave Mackenzie's division, and the cavalry (Anson's brigrade), at their old positions in the wood, and come yourself, with the Germans, to the town. If you have no enemy near you it does not much signify where you cross the river; if you have an enemy near you I recommend you to cross it at a ford nearer the bridge, and at a greater distance from the heights than the ford is at which you first crossed.

'Believe me, &c.

'Arthur Wellesley.

'P.S.—I have desired Murray to look this morning for such a ford as I have above described, and to have it shown you.'

Colonel Murray had, however, gone out in the night with the cavalry under General Payne, and having left them in a situation where they would be at hand if required, he joined General Sherbrooke at Cazalegas, towards which place he found that the whole of the French army was already fast approaching in full march.

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ing of the 27th, that it was not known at the British head-quarters whether General Sherbrooke had an enemy near him or not, which could not have been the case if the troops at Casalegas had been obliged to interpose themselves between Cuesta's '*scared troops*' and the French, the evening before.

In our author's description of the field of battle of Talavera and adjoining country, as also in his account of the battle itself, and in the plan annexed to it, there are several important mistakes; some of which it is necessary that we should point out. Colonel Napier says:—

'Between the Alberche and the town of Talavera, the country was flat, and covered with olives and cork-trees; but nearly parallel to the Tagus, and at a distance of about two or three miles, a chain of round steep hills bounded the woody plain. Beyond these hills, and separated from them by a deep and rugged valley, something less than half a mile wide, was the mountain-ridge which divides the bed of the Alberche from that of the Tietar.'—vol. ii. pp. 282, 283.

Accordingly, in the author's plan, the country between the Alberche and Talavera is represented as covered with trees—but it is not so in reality. The cork wood, in which the *Casa de Salinas* is situated, extends but a very little way on the Talavera side of that building; and between the wood and the beginning of the olive plantations there is an open plain upwards of a mile in breadth;* besides which, there are several large spaces of open ground amongst the olive plantations themselves. The '*round steep hills*' are a chain of bare heights of different elevations, and generally of a smooth surface. That on which the British left stood is, however, the most commanding within the limits of the field of battle, and the ascent to it is steep on the side which looked towards the French. The '*rugged valley*' between these hills and the '*mountain ridge*' presents no impediment to the movements of troops, with the exception of a dry water-course, which will be hereafter more particularly described. Colonel Napier tells us:—

'Two good routes, suitable to artillery, led from the Alberche to the position. The one, being the royal road to Talavera, was taken by the fourth corps and the reserve; the other, passing through a place called the *Casa de Salinas*, led directly upon Sir Arthur Wellesley's extreme left, and was taken by the first corps: but to reach this *Casa*, which was situated near the plain in front of the British left wing, it was necessary to ford the Alberche, and to march for a mile or two through the woods.' —vol. ii. p. 385.

* Sir Arthur Wellesley, in speaking, in his dispatch of the 29th of July, of the attack made upon General Mackenzie's division at the building in the wood, on the right bank of the Alberche, mentions that General Anson's brigade of cavalry was *with that division*, and that it was 'supported by General Payne with the other four regiments of cavalry in *the plain between Talavera and the wood*.'—Gurwood, vol. iv. p. 505.

Now,

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Now, in place of there being only *two routes* suitable to artillery, from the banks of the Alberche to the position occupied by the allies, the whole country might be traversed by artillery, or by troops of any description, in every direction, excepting only where the olive plantations occurred; and even these, unless occupied by an opposing enemy, could form but a slight obstacle, in consequence of the olive trees being planted in regular rows, and with such intervals as to admit, in general, of artillery passing between them. The fences also were slight, and several broad roads passed through these plantations.* As for the wood through which the right of the French had to pass, after fording the Alberche, it was so open as to present very little impediment to the advance of the columns, and it could, besides, be easily turned by the bridge, and by the lower fords of the Alberche. Colonel Napier has a natural proneness, however, to indulge his imagination in all his descriptions, and he has here employed it in magnifying very much the obstacles which the French had to surmount. We come now to our author's account of the position itself:—

'Sir Arthur Wellesley, taking the town of Talavera, which was built close to the river, as his fixed point, placed the right of the Spaniards there, drawing their army up in two lines, with the left resting upon a mound, where a large field-redoubt was constructed, and behind which a brigade of British light cavalry was posted; all this front was covered by a convent, by ditches, mud walls, breast-works, and felled trees. The cavalry was posted behind the infantry; and the rear was supported by a *large house in the wood, well placed, in case of defeat*, to cover a retreat on to the main roads leading from Talavera to Arzobispo and Oropesa. In this position they could not be attacked seriously, nor their disposition be even seen, and thus, one-half of the line necessary to be occupied by the allies was rendered nearly impregnable, and yet held by the worst troops.'—vol. ii. p. 383.

If this part of the position was impregnable, it was quite right, certainly, that it should be allotted to the worst troops. The truth is, however, that it naturally fell to be occupied by the Spaniards, as they had all along formed the right of the army. The unsurmountable defences described by Colonel Napier are, however, for the most part, the works of his own fancy. The only feature of real strength in the whole Spanish position was the convent of

* Sir Arthur Wellesley says, in a 'memorandum upon the battle of Talavera:'—'The ground in front of the Spanish troops would not have been unfavourable to an attack upon the enemy's flank, while they were engaged with us (the British), as there were *broad roads* leading from Talavera and *different points of their position*, in a direct line to the front, as well as diagonally to the left.'—Gurwood, vol. iv. p. 510. It may also be remarked, that the French, in their attack upon General Alexander Campbell's division, marched through one of those olive plantations, bringing their artillery with them.

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Nuestra Señora del Prado, which stands a short quarter of a mile in front of the gate of Talavera, between the great road and the river Tagus. The other *impregnable* defences consisted merely of the fences raised by the people of the country to protect the vineyards or olive plantations, and, owing to the light and sandy nature of the soil, they were very slight, and by no means difficult to be surmounted, although affording in some places a cover against musketry. As for the '*large field-redoubt,*' it is so magnified in its dimensions, and so elevated by Colonel Napier, both in his description and in his plan, that it has been rendered quite unrecognisable. The truth is, that it was a very small field-work, and was not finished when the battle took place. Its situation was at the point of a somewhat elevated piece of land, connected with the position which it was foreseen the enemy would take up, and commanding a little the adjacent part of the allied line. It had been deemed expedient, therefore, to construct a work at this point; but the supposed mound consisted in nothing more than a slight elevation of the ground caused by excavating the foundation of a little shed, or cottage, which stood there, and which was included within the projected work.

So far, therefore, was the Spanish part of the position from being 'nearly impregnable,' that, adverting to the inferior quality of the troops who occupied it, it was probably the weakest part of the allied line;—and as for '*the large* HOUSE *in the* WOOD,' both these are gratuitous additions of our author, for no such objects existed in the situation which he has assigned to them.*

We have yet another part of Colonel Napier's description of the field of battle to remark upon:—

'The whole line thus displayed was two miles in length, the left resting on the valley between the round hills and the mountain, and the front covered by a water-course, which commencing about the centre of a line, opened deeply as it passed the left, and became a wide chasm in the valley.'—vol. ii. p. 384.

This passage has the double defect of inaccuracy and obscurity. It is inaccurate, because it speaks of a '*chasm,*' where no such feature exists. And the description given of the water-course is so confused as to leave the reader wholly at a loss to conjecture where it began and where it ended. This water-course has its origin in the 'rugged hills' beyond the valley which was on the left of the

* Sir Arthur Wellesley makes nowhere any mention of the formidable defences which, according to Colonel Napier, rendered one-half of the line occupied by the allies '*nearly impregnable.*' If they had existed, as described by our author, they must have been very serious obstacles to a forward movement by the Spaniards; to which, as we have seen by Sir Arthur Wellesley's memorandum already quoted, there existed, however, in his opinion, no impediment whatever, except from the untrained condition of the Spanish army.

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British, and the right of the French. The rain which falls upon these 'rugged hills' in the wet season forms several little rills, which join in the valley, and then cutting through the ridge, called by Colonel Napier the 'round hills,' in which the water has worn a rocky crevice or narrow dell of considerable depth, it passes on through the vineyards and the town of Talavera to the Tagus. This rocky dell cut in the 'round hills' was the only feature of importance which intervened between the opposite armies. In it there was a little water trickling along the rocky channel, but the rest of the water-course was in general perfectly dry at the time of the battle.

No man, we believe, can give a very accurate description of a battle who has not seen it; and of the thousands who have been present in any great battle, there can be but very few who have not been too much occupied with their own particular duties, to admit of having time and opportunities for general observation. There are still fewer, probably, who are capable of observing calmly, and afterwards arranging distinctly, and appreciating justly, the varied and exciting scene which has passed so rapidly before them. At the battle of Talavera there was this advantage, however, that from the hill on which the left of the British infantry was posted the whole theatre of the action could be seen; and the principal occurrences took place in its immediate vicinity. It is very easy to discern, however, that Colonel Napier has been indebted, not to his eye, but to his imagination, for the sketch of the battle which he has furnished to his readers.

We have three separate '*combats*' described, under three distinct heads, before we come to the '*battle of Talavera*,' which forms the fourth article. And then we have the author's '*observations*,' which form a fifth. Notwithstanding this parade of method, however, the '*combat of Salinas*,' and the '*combat of the evening of the 27th*,' are blended together. And the narrative, besides being inaccurate, is rendered confused also by the intermixture of separate events, as well as by the *embellishments*, as we suppose they are intended to be, which Colonel Napier has superadded to real occurrences. Sir Arthur Wellesley's dispatch states:—

'General Mackenzie continued' [after the affair of the *Casa de Salinas*] 'to fall back gradually upon the left of the position of the combined armies, where he was placed in the second line in the rear of the guards. Colonel Donkin being placed in the same situation' [viz. in the second line] 'further upon the left, in the rear of the King's German Legion. The enemy *immediately* commenced his attack, *in the dusk of the evening*, by a cannonade upon the *left* of our position, and by an attempt, with his cavalry, to overthrow the Spanish infantry, posted, as have before stated, on the *right*.'—*Gurwood*, vol. iv. p. 506.

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Both these attempts, here so simply and so clearly described, failed, although each of them made a considerable impression. Sir Arthur Wellesley proceeds then to say—

'Early in the night, he' [the enemy] 'pushed a division along the valley on the left of the height occupied by General Hill, of which he gained a momentary possession; but Major-General Hill attacked it instantly with the bayonet, and regained it. This attack was repeated in the night, but failed.'—*Gurwood*, vol. iv. p. 506.

The cannonade on the left and the attack on the *right* of the position of the allies, which are spoken of in the first part of Sir Arthur Wellesley's dispatch above quoted, are both included by Colonel Napier under the head of 'Combat of Salinas,' although the *Casa de Salinas*, where the combat properly so called occurred, is *upwards of three miles* in front of the position against which the other two attacks were made.

The attempt of the enemy *after dark*, on the left of the height occupied by General Hill, supplies Colonel Napier with the ground-work of a very *picturesque* description, which he has given under the head of '*combat of the evening of the 27th.*' In that description, however, our author makes the attack on the German Legion, and the attempt on General Hill's left, simultaneous; telling us also that it was *not yet dark* when the latter took place. And he then goes on to describe an extensive combination, and a long-continued and varying struggle, which is wholly different from what really happened. The fact is, that the attack on the German Legion took place immediately on the arrival of the French columns, as stated in the dispatch of Sir Arthur Wellesley, and *before dark*; whereas the attempt on General Hill's left occurred a very considerable time afterwards, and when *it was quite dark.*

It took place as follows:—An officer of the staff, who was with General Hill, on the summit of the height which formed the left of the position, requested that a patrole might be sent out to a small house in the valley, to ascertain by what troops it was occupied. On the return of the patrole, the officer commanding it reported that the persons who occupied the house spoke Spanish; but the staff officer, knowing that there ought not to be, in that direction, any of General Cuesta's troops, requested that the same patrole might go again to ascertain with certainty whether those in the house were friends or enemies. The patrole had hardly gone out the second time, however, when it was driven back and closely followed by the French, who thus obtained a momentary possession of the summit of the hill.

Colonel Napier tells us that

'about twelve o'clock, the Spaniards on the right being alarmed at some horse in their front, opened a prodigious peal of musketry and artillery, which

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which continued for twenty minutes without any object; and during the remainder of the night, the whole line was frequently disturbed by desultory firing from the allied troops, by which several men and officers were unfortunately slain.'—vol. ii. p. 390.

Here, again, is an account which is neither accurate, clear, nor *just*, and in which it is very difficult to acquit our author of intentional inaccuracy, intentional obscurity, and intentional *injustice*; so easy was it for him to have obtained perfectly authentic information on the subject from British officers who were present. In Colonel Napier's statement the false alarm which took place about twelve o'clock at night towards the Spanish right, is prodigiously exaggerated, whilst no mention whatever is made of a false alarm of much greater extent, and much more serious in its consequences, which originated, suddenly and unaccountably, towards the left of the first division of the British line, not in the middle of the night, but immediately after dark, whilst the troops were still under arms, and by which two or three British officers, who happened to be standing a little in front of their men, lost their lives. Such events are extremely unfortunate, but it is not to be wondered at that they should sometimes occur, even amongst the best disciplined troops, when two hostile armies, which have been already partially engaged, even after dark, pass the night within musket-shot of each other. What we blame in the historian, however, is the want of candour which he exhibits by his special and exaggerated account of what occurred in the Spanish lines, leaving it to be inferred that the loss of lives was chiefly incurred by that event, whilst he slurs over the alarm in the British lines with a general allusion to '*desultory firing from the allied troops during the remainder of the night.*' There exist, no doubt, men of narrow minds who may be gratified by statements, however unfair, provided their leaning be towards their own side; but we are confident that such unfairness has only to be pointed out to ensure its condemnation both by the British army and by the British public.

Sir Arthur Wellesley passed the night upon the ground in his cloak, behind the centre of the British infantry. About an hour before daybreak he directed the Quartermaster-General to ride round and ascertain whether the several divisions were in the places originally allotted to them. At daybreak Sir Arthur was upon that part of the hill on the left which was occupied by the first line of General Hill's division. The second line of that division was a little further back, upon ground somewhat more elevated, and it was placed so as to out-flank the left of its first line to the extent nearly of the front of a battalion. The Quartermaster-General reported to Sir Arthur that the left of the

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the first division of the army, composed of the German Legion, was not sufficiently thrown back, which exposed it to be taken in flank, as had been the case in the attack of the preceding evening, and orders were given for this slight change of the position of the troops. Immediately on the commencement of this movement the enemy opened against the left of the Germans, the first gun that was fired in the battle of Talavera.—Colonel Napier begins his account of the '*Combat of the Morning of the 28th*' as follows:—

'About day-break, Ruffin's troops were drawn up, two regiments abreast, supported by a third, in columns of battalions, and in this order went forth against the left of the British: a part moving directly against the front, and a part by the valley on the right, thus embracing two sides of the hill. Their march was rapid and steady; they were followed by Villatte's division, and their assault was preceded by a burst of artillery, that rattled round the height, and swept away the English ranks by whole sections. The sharp chattering of the musketry succeeded, the French guns were then pointed towards the British centre and right, the grenadiers instantly closed upon General Hill's division, and the height sparkled with fire. The inequalities of the ground broke the compact formation of the troops on both sides, and small bodies were seen here and there struggling for the mastery with all the virulence of a single combat; in some places the French grenadiers were overthrown at once, in others they would not be denied, and reached the summit, but the reserves were always ready to vindicate their ground, and no permanent footing was obtained. Still the conflict was maintained with singular obstinacy; Hill himself was wounded, and his men were falling fast, yet the enemy suffered more, and gave back, step by step at first, and slowly, to cover the retreat of their wounded, but, finally, unable to sustain the increasing fury of the English, and having lost above fifteen hundred men in the space of forty minutes, the whole mass broke away in disorder, and returned to their own position, covered by the renewed play of their powerful artillery.'—vol. ii. pp. 391, 392.

Why Colonel Napier, after blending together the *Combat of Salinas* and that of the *Evening of the 27th*, which took place at three miles distance from each other, chooses to distinguish the *Combat of the Morning of the 28th* from *the Battle of Talavera*, we are at a loss to understand. Perhaps he imagines that such divisions of a subject give a semblance of greater accuracy, and an appearance of more pomp, to his history. The simple fact is, however, that the battle of Talavera, fought on the 28th of July, consisted of three successive attempts of the French to force the British part of the position of the allies, and this '*Combat of the Morning of the 28th*' was the first of these attempts. This attack, if divested of the inaccuracies as to fact, and the affectation and turgidness of style with which our author's exuberant imagination and his peculiar taste in writing have invested it, would stand nearly thus. The French began the battle by

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moving forward a very strong column, composed of a large portion of the infantry of their right wing. This column passed the dry water-course which has been previously mentioned, immediately above the rocky dell that intervened between the hostile armies; and then bending gradually to its left, as it ascended the hill, it directed its course so as to attack the extreme left of the first line of General Hill's division. The advance of the column was covered by skirmishers; and it was aided, also, by a heavy cannonade from the artillery in the French position on the other side of the rocky dell. For a considerable time no check could be given to the progress of this column; and, as the British had not yet got up any heavy guns to the summit of the hill, the advance of the enemy was confident and imposing. But when the head of the French column had nearly reached the point, on the possession of which the success of its attack depended, it became exposed, not only to a closer fire of musketry in front, but also to a very galling and effective fire on its right flank, from that part of General Hill's second line which was in échelon to the first. The column ceased to advance; its losses became rapid and severe; and after hesitating for a few minutes, it broke and retreated in disorder, taking the most direct line towards its original position, and leaving distinctly marked, by the bodies of those who had fallen, both the form of the column itself and the exact spot where its hitherto triumphant progress had been suddenly arrested.

Colonel Napier goes on to say—

'The principal line of the enemy's retreat was by the great valley, and a favourable opportunity for a charge of horse occurred, but unfortunately the English cavalry—having retired, during the night, for water and forage—were yet too distant to be of service. However, these repeated efforts of the French against the hill, and the appearance of some of their light troops on the mountain, beyond the left, taught the English general that he had committed a fault in not prolonging his flank across the valley, and he hastened to rectify it.'—vol. ii. p. 392.

The first part of this passage is erroneous as to fact; for the retreat of the French column was not by the '*great valley*,' but directly towards the rocky dell; and as the whole of the ground over which it retreated was under the fire of the artillery in the French position, the British cavalry, had it been even less distant than was the case, could scarcely have had an opportunity to effect much. But, in addition to the reasons given by Colonel Napier for the distance of the cavalry, it may be right to remind our readers, that the cavalry had been out from twelve at night on the 26th till dusk on the evening of the 27th, and to observe, also, that nothing could have been more inexpedient than to have placed

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placed the cavalry very close to the position of the infantry whilst liable to a night attack.

As for our military historian's criticism upon the manner in which the English General had originally taken up his position, it exhibits, like many other of his professional remarks, very great ignorance of the art of war. There is nothing which indicates bad generalship more decidedly than an extended and attenuated line of battle. Sir Arthur Wellesley had at once perceived that the hill on which the British left was posted formed the proper termination, in that quarter, of the position of the allies; and that whatever dispositions might become afterwards necessary to meet and to counteract those which might be made by the enemy, a further extension of the allied line, in the original distribution of the troops, would be the source of infinite embarrassment, and very probably of irremediable disaster. The British infantry were not sufficiently numerous to admit of their being further extended than they were. And to have placed the cavalry in the valley on General Hill's left during the night would have been, as already observed, the greatest possible absurdity. To have employed the Spanish troops either to occupy the hill on which the British left stood, which was the key of the whole position, or to prolong the line to the 'rugged ridge,' would have been likewise in the highest degree inexpedient and dangerous. But when the dispositions of the enemy had rendered it obvious that his principal efforts would be directed against the British—and when he had begun to move light troops towards the 'rugged ridge,'—then the Duke d'Albuquerque's cavalry were brought into the valley, and Bassecourt's division of infantry was placed there likewise, on the British left, and part of it opposed to the French light troops in the 'rugged ridge.' If before a battle begins the troops are kept well in hand, the emergencies which suddenly arise may be successfully met—as was the case in this instance; but when an unduly lengthened line is opposed to a bold and skilful adversary at the head of well-trained troops, defeat is the almost inevitable consequence of so faulty an arrangement.—Colonel Napier proceeds—

'Immediately after the failure of Ruffin's attack, King Joseph, having in person examined the whole position of the allies, from left to right, demanded of Jourdan and Victor *if he should deliver a general battle.*' —vol. ii. p. 393.

This sentence, we must take the liberty of saying, appears to us extremely ludicrous. It is the commencement of a little dramatic interlude with which our author favours his readers between his three '*combats*' and his '*battle of Talavera.*' Poor Joseph, as if suddenly awakened from a sound sleep, goes through the very

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useless ceremony, if we are to take our author's estimate of his Majesty's military talents, of examining 'the whole position of the allies from left to right,' and then demands of his two marshals whether he shall '*deliver a general battle*,' the first act of which battle had, however, already terminated in rather a tragic manner. The discussion which follows is quite suitable to this introduction. Jourdan begins in a manner not very discreet, nor very like a practical general, by giving his opinion as to what *ought* to have been done *the evening before*. And he concludes by recommending discretion as the better part of valour. But

'Victor opposed this counsel; he *engaged* to carry the hill on the English left, notwithstanding his former failures, provided the fourth corps would attack the right and centre at the same moment; and he finished his argument by declaring that, if such a combination failed, "*it was time to renounce making war*."

'The king was embarrassed. His own opinion coincided with Jourdan's; but he feared that Victor would cause the Emperor to believe a great opportunity had been lost; and, while thus wavering, a dispatch arrived from Soult, by which it appeared that his force could only reach Plasencia between the 2nd and 5th of August. Now, a detachment from the army of Venegas had already appeared near Toledo—that general's advanced guard was approaching Aranjuez; and the king was much troubled by the danger thus threatening Madrid, because all the stores, the reserve artillery, and the general hospitals of the whole army in Spain were deposited there; and, moreover, the tolls received at the gates of that town formed almost the only pecuniary resource of his court; so narrowly did Napoleon reduce the expenditure of the war. These considerations *overpowered his judgment*.'—vol. ii. p. 394.

The result of poor Joseph's *judgment* being *overpowered* was, that he resolved to fight a battle, lest Victor should report him to the Emperor; but to hasten back towards Madrid as soon after as possible, lest he and his court should be starved by losing the tolls collected at the gates of that town!

Colonel Napier next tells his readers what was meanwhile passing elsewhere. While the French generals were engaged in council—(he says)—

'the Spanish camp was full of confusion and distrust. Cuesta inspired terror, but no confidence, and Albuquerque, whether from conviction or instigated by momentary anger, just as the French were coming on to the final attack, sent one of his staff to inform the English commander that Cuesta was betraying him. The aide-de-camp, charged with this message, delivered it to colonel Donkin, and that officer carried it to Sir Arthur Wellesley. The latter, seated on the summit of the hill which had been so gallantly contested, was intently watching the movements of the advancing enemy; he listened to this somewhat startling message without so much as turning his head, and then drily answering —"*Very well, you may return to your brigade*," continued his survey of

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of the French. Donkin retired, filled with admiration of the imperturbable resolution and *quick penetration of the man;* and, indeed, Sir Arthur's conduct was, throughout that day, such as became a general upon whose vigilance and intrepidity the fate of fifty thousand men depended.'—vol. ii. pp. 395, 396.

We have never entertained any doubt whatever of 'the imperturbable resolution and quick penetration of *the man;*' but we have some misgivings as to the *penetration* of our author himself, as well as of Colonel Donkin, in interpreting the reply here quoted.

In that part of Colonel Napier's narrative of the events of the 28th, which he has headed '*Battle of Talavera,*' he has fallen into the mistake of blending the attack made upon Brigadier-General Alexander Campbell's division, and the left of the Spaniards, with the more general attack of the British position at a much later period in the day.

The first attack against the extreme left of the British position, and the second attack, which was directed against the right division of our infantry, were both isolated attacks; and a considerable interval of time elapsed between them. A still longer interval occurred, however, before the enemy's last, and most formidable effort. We are aware of the excuse which Colonel Napier may offer for the mistake in this part of his narrative, but as there certainly is a mistake, we have thought it our duty to notice it.* The following martial effusion, therefore, if it has any merit in other respects, has at least the fault of being placed where it ought not to be, and confounds the actual order of the events of the battle:—

'Sir Arthur Wellesley, from the summit of the hill, had a clear view of the whole field of battle; and first he saw the fourth corps rushing forwards, with the usual impetuosity of French soldiers, clearing the intersected ground in their front, and falling upon Campbell's division with infinite fury; but that general, assisted by Mackenzie's brigade,

* A very good account of the battle of Talavera, written by an officer who was present, and who was very advantageously circumstanced both with respect to personal observation, and subsequent inquiries from others, he being an extra aid-de-camp to the commander of the forces, appeared in the newspapers a short time after the action; and it has since been included in a modest volume published in the year 1820 by the same officer. That account states as follows:—

'Joseph having been defeated in the several efforts he had made upon the British left, determined to try his fortune upon the centre of the allied army. The attack which followed was made under cover of a wood of olives, and fell principally upon the brigade (division) commanded by brigadier-general Alexander Campbell.' .... The enemy was completely repulsed, with the loss of seventeen pieces of artillery, upon different points, and a very considerable number of his best troops. His failures seemed decisive of the day; another pause ensued, considerable movements on the part of the enemy were observed, and for some time were construed by the allied army as indicative of a retreat; but the severest action was yet to come.'—Memoirs of the early Campaigns of the Duke of Wellington, by an Officer employed in his army, pp. 86, 87.

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and by two Spanish battalions, withstood their utmost efforts. The English regiments, putting the French skirmishers aside, met the advancing columns with loud shouts, and, breaking in on their front, and lapping their flanks with fire, and giving no respite, pushed them back with a terrible carnage.'—vol. ii. pp. 397, 398.

The next passage, although it does not misplace events, describes them inaccurately, and in a style yet more turgid and exaggerated:—

'But while this was passing on the right, Villatte's division, preceded by the grenadiers, and supported by two regiments of light cavalry, was seen advancing up the great valley against the left, and, beyond Villatte, Ruffin was discovered marching towards the mountain. Sir Arthur Wellesley immediately ordered Anson's brigade of cavalry, composed of the twenty-third light dragoons and the first German hussars, to charge the head of these columns; these regiments, coming on at a canter, and increasing their speed as they advanced, rode headlong against the enemy, but, in a few moments, came upon the brink of a *hollow cleft*, which was not perceptible at a distance. The French, throwing themselves into squares, opened their fire; and Colonel Arentschild, commanding the hussars, an officer whom forty years' experience had made a master in his art, promptly reined up at the brink, exclaiming, in his broken phrase, "*I will not kill my young mens!*" But in front of the twenty-third, the *chasm* was more practicable, the English blood hot, and the regiment plunged down without a check; men and horses rolling over each other in dreadful confusion; the survivors, still untamed, mounted the opposite bank by twos and threes, and Colonel Seymour being severely wounded, major Frederick Ponsonby, a hardy soldier, rallied all who came up, and passing through the midst of Villatte's columns, which poured in a fire from each side, fell with inexpressible violence upon a brigade of French *chasseurs* in the rear. The combat was fierce but short.'—vol. ii. pp. 398, 399.

'*Clefts*' and '*chasms*' are words calculated to convey a very erroneous idea of an obstacle, which, although sufficient to derange the regularity, and prevent the effective impression of a charge of cavalry, was by no means such a feature as Colonel Napier's description, and his explanatory plan—with their customary accordance in error—have represented it to be. The dry water-course, already mentioned in our observations upon our author's description of the position, formed the obstacle here alluded to. It was most considerable towards the side of the valley next the 'rugged ridge,' because the gravelly soil was naturally more deeply indented by the water on its first descent from the ridge than was the case on the opposite side of the valley next the 'round hills.' And this it was which caused the difference experienced by the two cavalry regiments in their advance.* We

* The Hon. Major Frederick Ponsonby, (afterwards Major-General Sir F. Ponsonby,) an officer not less distinguished by his unaffected modesty than by his courage

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We shall take the liberty of entering into a little detail of the circumstances of this indiscreet attempt to charge the two columns of French infantry, which seemed about to advance along the valley to turn the left of the British position, whilst it should be vigorously attacked in front by the main body of the enemy's army. The very formidable arrangements which were observed to be making for this last and general attack upon the centre and left of the British, rendered it necessary that every precaution should be taken against it. An order was, therefore, sent to the general commanding the British cavalry in the valley, to be in readiness to charge the two columns of infantry above mentioned, whenever they should be sufficiently advanced to afford a favourable opportunity for doing so. Owing to some misapprehension, however, the instruction given was construed into an order to charge immediately. The two regiments which composed Anson's brigade of light cavalry were, in consequence of this mistake, sent forward prematurely, whilst the distance of the enemy was still so great as to admit of his having ample time to make preparations for receiving the attack, and his columns were yet beyond the dry water-course. The boldness of the attack, however, notwithstanding its failure, together with the menacing aspect of the large mass of cavalry, British and Spanish, which was still in reserve in the valley, induced the French to forego any further attempt to move forward in that quarter.

We cannot afford to dwell longer on Colonel Napier's description of this well-fought battle, in which the skill and the firmness of mind of the British general, admirably seconded by the indomitable bravery and excellent discipline of his soldiers, withstood the repeated efforts of a numerous and veteran army, accustomed to victory, and conducted by leaders who had justly earned a high reputation in war.

We come now to the Colonel's '*Observations*' upon the battle. He tells us—

'A pitched battle is a great affair. A good general must bring all the moral, as well as the physical, force of his army into play at the same time if he means to win, and all may be too little.'—vol. ii. 403.

This *observation* is common-place enough certainly; not so that which follows—

'Marshal Jourdan's project was conceived in this spirit; and worthy of his reputation; and it is possible that he might have placed his army, *unperceived*, on the flank of the English; and then by a sudden and general attack have carried the key of his position, thus commencing his battle well.'—*ibid.*

courage and ability, deemed it necessary to address a letter to Colonel Napier, published in the Appendix to vol. iii. of the History, in which a description of the obstacle alluded to may be found, concurring with that which we have given.

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We ventured, in an early part of our comments upon Colonel Napier's work, to express some mistrust of the efficacy of the means by which he proposed to march an army *unperceived*, in the day-time, from Vimiero to Maffra; and we now beg leave equally to doubt the practicability of the night movement by which it is here suggested that Marshal Jourdan might have placed his army, *unperceived*, on the flank of the English, at Talavera. Our military historian seems to have forgotten how very liable military operations are to failure when undertaken in the dark; although he has himself just given an example of it, by telling us (p. 389) of two regiments of Ruffin's division having lost their way on the 27th, in the attempted night attack on General Hill's division. He has also overlooked the difficulty of an army moving *unperceived*, within musket-shot of another army fully prepared and on the alert. But what has become of the '*cleft*,' on the brink of which Colonel Arentschild promptly reined up, exclaiming '*I will not kill my young mens!*'—and of the '*wide chasm in the valley*,' into which 'the English hot blood plunged' the 23rd light dragoons, '*men and horses rolling over each other in dreadful confusion*'? How was the French army, with all its cavalry and its artillery, to surmount such obstacles as these in the dark, and *unperceived* by the British outposts, which were close at hand?

Our ingenious author continues—

'But Sir Arthur Wellesley's resources would not have been exhausted. He had foreseen such an occurrence, and was prepared, by a change of front, to keep the enemy in check with his left wing and cavalry; while the right, marching upon the position abandoned by the French, should cut the latter off from the Alberche. In this movement the allies would have been reinforced by Wilson's corps, which was near Cazalegas, and the contending armies would then have exchanged lines of operation. The French could, however, have gained nothing, unless they won a complete victory, while the allies would, even though defeated, have ensured their junction with Venegas. Madrid and Toledo would thus have fallen to them, and before Soult could unite with Joseph, a new line of operations, through the fertile country of La Mancha, might have been obtained. But these matters are only speculative.'—vol. ii. p. 404.

Speculative they certainly are, but they are speculations which can never lead, we apprehend, to any practical utility, nor afford any amusement even, unless it be at the expense of their author; which was not, we suppose, his object in putting them forward in this place. As to the resources of Sir Arthur Wellesley's mind, they have been abundantly proved in nearly all the most trying situations which can occur in war; but we very much doubt that in the case here supposed, they would have been exemplified in the manner suggested by Colonel Napier. In the first

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first place, to change during a battle the front of an army, of more than one half of which our author has said (p. 401), '*The Spanish army was incapable of any evolution,*' and again (p. 405), '*Neither Cuesta nor his troops were capable of an orderly movement;*' and to perform this evolution, when the only part of the army which was moveable had, *by the supposition,* already lost the key of its position, would have been as impracticable almost as the night movement out of which the necessity for it was to arise. Neither would the solution of this *tactical* problem have been at all facilitated by Colonel Napier's expedient of cutting the moveable portion of the allied force into two parts, of which one should keep in check the whole of the French army, whilst the other part proceeded, *without cavalry,* over an *open country,* to search for a reinforcement of four thousand very indifferent troops several leagues off. But even these staggering projects are not sufficient for our adventurous *strategist* and paradoxical historian, for he hesitates not to suggest, that contending armies may suddenly exchange their respective lines of operation without inconvenience; and he expects his readers to believe, that one army might have been successful without reaping any benefit from its victory, and that the other might have incurred a defeat without any detriment to the condition of its affairs!

From his military speculations, our author reverts to his favourite topic, abuse of the Spaniards—and after imputing to General Cuesta, and to the inhabitants of Talavera, sentiments and proceedings the most unfriendly to the British, he says—

'This conduct left an indelible impression on the minds of the English soldiers. From that period to the end of the war their contempt and dislike of the Spaniards were never effaced, and long afterwards, Badajos and St. Sebastian suffered for the churlish behaviour of the people of Talavera.'—vol. ii. p. 407.

We have already given sufficient evidences, we believe, of the inconsistencies and the injustice to which Colonel Napier is ever prone when speaking of the Spaniards. But in this passage he does, in truth, more injustice to his own countrymen than to their allies; for he represents the English soldiers as having perpetrated every degree of outrage and cruelty (of which we shall hereafter notice his own description) against the innocent inhabitants of other Spanish towns, at a later period of the war, because of this imputed '*churlish behaviour of the people of Talavera.*' Those readers must have very little knowledge of human nature, however, and very little acquaintance with history, who accept such far-fetched motives as our author has here assigned for excesses attributable, in fact, not to a premeditated spirit of misplaced retaliation, little accordant with the general

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general character of Englishmen, but to that high degree of temporary excitement which prompts men, on such occasions, to deeds at first of the most daring courage, but degenerating afterwards into acts of the most unwarrantable licentiousness; whilst that authority which has stimulated and profited by the first paroxysm, is unable, for a time, to restrain the second. But how truly pitiful it is in an historian to attempt, by exaggerated and very questionable statements, to justify crimes which, if premeditated, admit of no justification at all!* But Colonel Napier's mind is so imbued with prejudices and partialities, which alternate like the colours of shot silks, that it is vain to expect from him uniform statements, or a fair view of transactions, more especially with respect to those which, at the time when they took place, gave rise to any degree of conflicting feelings or opinions—and such was the case with many of the occurrences which immediately followed the battle of Talavera. Another proof of this being the character of our author's mind fails not, therefore, presently again to offer itself.

It appears, by the Duke of Wellington's published dispatches, that the first intelligence of Soult's movement towards Plasencia

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* The conduct of the Spaniards, as described by Colonel Napier himself, in a subsequent part of his work, towards Captain Colquhoun Grant, a very honourable, intelligent, and enterprising officer, much employed in obtaining information respecting the force and movements of the French, will serve to show, that if the *churlish behaviour*, imputed above to the people of Talavera, left *on the minds of the English soldiers an indelible impression of contempt and dislike for the Spaniards*, these sentiments were met on the other hand only by acts of the most generous and intrepid fidelity.

'Attended by Leon, a Spanish peasant of great fidelity and quickness of apprehension, who had been his companion on many former occasions of the same nature, Grant arrived in the Salamancan district, and passing the Tormes in the night, remained, in uniform, for he never assumed any disguise, three days in the midst of the French camp. He thus obtained exact information of Marmont's object, and more especially of his preparations of provisions and scaling ladders, notes of which he sent to Lord Wellington from day to day by Spanish agents. However, on the third night, some peasants brought him a general order, addressed to the French regiments, and saying, that the notorious Grant being within the circle of their cantonments, the soldiers were to use their utmost exertions to secure him, for which purpose also guards were placed as it were in a circle round the army. Nothing daunted by this news, Grant consulted with the peasants, and the next morning, before daylight, entered the village of Huerta, which is close to a ford on the Tormes, and about six miles from Salamanca. Here there was a French battalion, and on the opposite side of the river cavalry videttes were posted, two of which constantly patroled back and forward for the space of three hundred yards, meeting always at the ford. When day broke the French battalion assembled on its alarm post, and at that moment Grant was secretly brought with his horse behind the gable of a house, which hid him from the infantry, and was opposite to the ford. The peasants standing on some loose stones and spreading their large cloaks, covered him from the cavalry videttes, and thus he calmly waited until the latter were separated the full extent of their beat; then putting spurs to his horse he dashed through the ford between them, and receiving their fire without damage, reached a wood, not very distant, where the pursuit was baffled, and where he was soon rejoined by Leon, who in his native dress met with no interruption.'—vol. iv. pp. 465, 466.

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and the valley of the Tagus, by the Puerto de Baños, was received at Talavera on the 30th of July; and on the 31st, Sir Arthur wrote to the chief of the Spanish staff (General O'Donoju) suggesting that one of the divisions of Cuesta's army should be immediately detached to oppose the enemy at the Puerto de Baños; or to observe his movements, should he already have surmounted that pass. (*Gurwood*, vol. iv. pp. 514 and 516.)—On further information being obtained of the progress of the French on the side of Plasencia, it was arranged between the two allied generals, that the British forces should march to meet Soult, and that Cuesta should remain at Talavera with the Spaniards, except Bassecourt's division, already detached towards the river Tietar, and which was now directed to act with the British. Sir Arthur Wellesley marched accordingly on the 3rd of August from Talavera to Oropesa, whence he sent instructions to General Bassecourt to halt on the following day at Centinello. This was the state of things when, as Colonel Napier tells us,

'at six o'clock,' (p. m. 3rd August) 'letters from Cuesta advised Sir Arthur, that the king was again advancing, and that, from intercepted dispatches addressed to Soult, it appeared that the latter must be stronger than was supposed; wherefore, Cuesta said, that wishing to aid the English, he would quit Talavera that evening: in other words, abandon the British hospitals!'—vol. ii. p. 413.

If General Cuesta abandoned the British hospitals without an imperious necessity for it, or failed to remove them when he could have done so, he must be deemed wholly inexcusable. The subject merits, however, some inquiry; and the first question to be asked is—Could General Cuesta have remained at Talavera? Colonel Napier's censure implies that he could; but how stand the facts? Our author himself states—

'The allies held the centre, being only one day's march asunder, but their force, when concentrated, was not more than forty-seven thousand men. The French could not unite under three days, but their combined forces exceeded ninety thousand men, of which fifty-three thousand were under Soult.'—vol. ii. p. 412.

By this statement King Joseph's army must have amounted to nearly forty thousand, and Cuesta's to twenty-four thousand only; for, according to Colonel Napier, (p. 412,) Sir Arthur Wellesley, 'calculating on Soult's weakness, was marching with twenty-three thousand Spanish and English* to engage fifty-three thousand French.' Under these circumstances it was obviously impossible for the allied generals to contend separately against the separate French armies by which they were respectively threatened, and the Spanish army could not therefore remain by itself at Talavera.

* Viz., English, 17,000; Spanish, 6000.

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The other question to be considered is—Could Cuesta have removed the British hospitals? We have seen that Soult's force had been much underrated at the time when, by agreement with the Spanish General, Sir Arthur Wellesley marched from Talavera to meet it. But Cuesta subsequently obtained, by intercepted letters, better information concerning Soult's force, and in the very same page in which Colonel Napier attacks him for having quitted Talavera, we are told—

'Sir Arthur Wellesley having, by this time, seen the intercepted letters himself, became convinced that Soult's force was *not overrated* at thirty thousand.'—vol. ii. p. 413.

No doubt when an army, placed in a central position, is threatened by two hostile armies, approaching it from opposite directions, the project of suddenly marching against one of these is not very irrational; but to be executed with success, it must be executed with promptitude and with as much secrecy as possible. Cuesta became aware of Soult's force being greater than had been supposed a few hours after Sir Arthur Wellesley had marched from Talavera, and he immediately formed the resolution of joining the British General, and promptly put his troops in movement to do so, intending that Soult should be attacked by the united force of the allies, in place of being attacked by only one half of it. We ask, was there time, under such circumstances, to make arrangements for the removal of the British hospitals? or would it have been expedient, supposing the means to have been already at hand, to have moved those hospitals along with an army which was marching to seek a battle with an enemy also in movement to meet it, and already within little more than one day's march? General Cuesta arrived at Oropesa early on the morning of the 4th of August, and had immediately a conference with Sir Arthur Wellesley, at which General O'Donoju and Colonel Murray were present. Cuesta strongly and perseveringly urged his project of continuing the movement against Soult, whose numerical strength was, we have seen, *supposed* to be about thirty thousand, whilst that of the allies was about forty-seven thousand. But although Cuesta's project, if viewed with reference to numbers only, might appear plausible, it was, with reference to all other circumstances, indiscreet and hazardous. Soult had already advanced so far as to deprive the allies of all access to their bridge at Almaraz, unless after a successful battle, and that battle must have been fought in a country perfectly level and open, and which presented, therefore, the greatest share of advantages to the most moveable and experienced of the two armies. But besides these considerations, if the allies advanced from Oropesa to risk a battle against Soult, they left their only

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now remaining line of retreat (that by the bridge of Arzobispo) exposed to King Joseph. And again, if they waited for the enemy on the heights of Oropesa, they would give an opportunity for the junction of the two French armies, and for a combined attack, in which Joseph would have every facility for turning the right of the allied position, and acting in its rear, by the road of Calera, whilst Soult would possess similar advantages in attacking its left. Sir Arthur Wellesley was firm, therefore, in his opposition to Cuesta's project, and to the habitual propensity of that old commander '*to fight general actions*' however inopportunely. The British army retired over the Tagus by the bridge of Arzobispo on the afternoon of the 4th of August, and the Spanish army followed it on the 5th.

We have entered into these details partly for the purpose of enabling our readers to follow the thread of the military operations, and partly to show how much our author is disposed at all times to view transactions, though long past, with partial and irritated feelings. Had Colonel Napier filled a high and responsible situation during the war, either as a military commander or as a diplomatist, and had he found himself harassed, thwarted, and baulked in many of his most arduous and critical enterprises, we might have admitted that he had a perfectly sufficient excuse for irritation at the time; but knowing Colonel Napier only as an historian of events which occurred a quarter of a century nearly before the time when he undertook to narrate them, we can find no adequate apology for his retrospective irritation, any more than for the want of accuracy which we have detected in many of his statements, or for the absence of calm and impartial investigation before he hurries to his conclusions.

In alluding to the painful choice left to the allies at Oropesa, of either fighting under very great disadvantages, or abandoning the right bank of the Tagus to the enemy without a struggle, our author introduces one of those figurative embellishments of style which he is so fond of:—

'A hard alternative; but the long-cherished error relative to Soult's weakness had dried up the springs of success, and left the campaign, like a withered stem, without fruit or foliage.'—vol. ii. p. 415.

We readily admit that the campaign did not produce the fruit, too sanguinely anticipated perhaps, of recovering possession of the Spanish capital; it produced, however, a rich *foliage* of victory for the British; and it sustained the hopes of the nations of the Peninsula, by showing them, that although the armies of Napoleon could not yet be equalled in the field in point of numbers, they could be effectually rivalled both in discipline and in courage.

Colonel

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Colonel Napier informs us, (vol. ii. p. 442,) that on the 4th of September Sir Arthur Wellesley's head-quarters were established at Badajos; and

'the English troops were then distributed in Badajos, Elvas, Campo Mayor, and other places, on both banks of the Guadiana; the brigades already in Portugal were brought up to the army, and the lost ammunition and equipments were replaced from the magazines at Lisbon, Abrantes, and Santarem; Bereaford, leaving some light troops and militia on the frontier, retired to Thomar, and this eventful campaign, of two months, terminated.'

Our author now proceeds, in his accustomed strain of professional pretension, to make observations on the events he has been narrating. He thus begins—

'During this short, but important campaign, the armies on both sides acted in violation of the maxim which condemns "*double external lines of operation.*" '—vol. ii. p. 444.

This commencement smacks much more, in our humble apprehension, of the affectation of a military pedant who deals in theoretical conceits, than of the practical knowledge of a judicious and experienced officer. But to proceed—

'La Mancha was the true line by which to act against Madrid; but the British army was on the frontier of Portugal, the Junta refused Cadiz as a place of arms, and without Cadiz, or some other fortified seaport, neither prudence, nor his instructions, would permit Sir Arthur to hazard a great operation on that side: hence he adopted, not what was most fitting, in a military sense, but what was least objectionable among the few plans that could be concerted at all with the Spanish generals and government.'—*Ibid.*

We cannot coincide in the opinion here given as to what '*was most fitting in a military sense.*' It has, on the contrary, always appeared to us to be quite obvious, that whether viewed in a military or in a political light, Portugal was by far the most suitable basis for the British operations in the Peninsula. Its geographical situation, as it respects Britain, was much more advantageous, with reference to the war then carrying on, than that of any portion of the coast of Spain, Gallicia alone excepted, with which it was, moreover, in immediate connexion. Its position was also very advantageous for more than one line of offensive operations; whilst, as we have already partly explained in our third article, the topographical features of the country present peculiar facilities for defensive warfare. But over and above these physical advantages, belonging to Portugal as a basis for the operations of the British auxiliary force in the Peninsula, there were moral advantages connected with Portugal capable of having a very powerful influence, and meriting therefore very high consideration in determining the proper basis for the military operations.

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operations. The principal of these were, the long existing habit of friendship between the two governments and nations; and the consequent deeply rooted, warm, and confiding attachment of the Portuguese people in general towards the British—so that no closer union, probably, has ever elsewhere existed between two independent nations, differing so much in manners and in language, in government and in religion, than at that time existed between the British and Portuguese. We are aware, however, that in the modern schools of shallow and conceited STRATEGISTS, who resolve the practical art of war into an abstract science of mathematical problems, such considerations as the above are seldom, if ever, taken into account.

But let us take Colonel Napier's proposed line of operations, based upon Cadiz, and proceeding through La Mancha to act against Madrid. Would the concentration of the whole of the allied forces upon one line have given more facility for the supply of provisions, and for obtaining means of transport? Or, would Sir Arthur Wellesley's dependence upon Spanish authorities, so often found inefficient, through the inefficiency of their government, have been at all lessened? But suppose a great battle to have taken place (and it was inevitable) upon Colonel Napier's proposed line of operations, and with the forces of both parties concentrated, (a necessary consequence also of this plan,) the proportion of disciplined troops on the one side being limited (as at Talavera) to the British contingent, but the whole of the other army being of that description of force—what would the probable result have been? A result not favourable, it must be assumed, to the allies. And, under such circumstances, would not the whole, or the greater part, at least, of the Spanish soldiers have sought for safety in the Sierra Morena, and in the mountains of Guadalupe? whilst the British, abandoned to themselves in the plains of La Mancha, could have derived no benefit whatsoever from their base of operations, or '*place of arms*' at Cadiz. But no other comment need be sought for upon Colonel Napier's *La Manchan* speculation, than that furnished by himself in the following passage:—

'Truly, it would be a strange thing, to use so noble and costly a machine as a British army, with all its national reputation to support, as lightly as those Spanish multitudes, collected in a day, dispersed in an hour, reassembled again without difficulty, and incapable of attaining, and consequently, incapable of losing, any military reputation.'—vol. iii. p. 233.

The remainder of Colonel Napier's second volume may be disposed of in a very few words. It is made up of a repetition of erroneous statements, which have been already sufficiently exposed;

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posed; and of *strategical reveries*, which, however pleasing to the author, will never, we venture to say, be profitable to any one else.

We hope ere long to resume our exposure of this author's historical and professional blunders; and when we have concluded our examination of his book, we may probably give an article (which need not be a long one) to his (so called) replies.

ART. IV.—*Travels in the Himalayan Provinces of Hindustan and the Panjab; in Ladakh and Kashmir; in Peshawar, Kabul, Kunduz, and Bokhara.* By William Moorcroft and Mr. George Trebeck. From 1819 to 1825. Prepared for the press by Horace Hayman Wilson, M.A., F.R.S. 2 vols. 8vo. London. 1837.

A FEELING of deep regret will naturally obtrude itself on the perusal of a work like this, the materials of which have been purchased by privations, anxieties, mental and bodily sufferings, and early death. Such was, in a great degree, the fate of the enterprising Moorcroft, his young companion Trebeck, and others of his followers. Of the first journey of Mr. Moorcroft, who was the first European to cross the gigantic range of Himalaya, to make his way to the sources of the Indus and the Setlej, and to visit the two remarkable lakes of Rawanrhad and Manasawara, (not since visited, as far as we know, by any one,) we gave a detailed account some years ago.* Though he undertook this journey not only without the encouragement of the government of India, but without its expressed approbation, he succeeded in surmounting every difficulty, and in spite of all obstacles, and of sickness induced by exposure and fatigue, he accomplished his purpose, acquired valuable geographical facts, and discovered in particular the region of the shawl-wool goat. He thus afforded an opening for the importation of this wool into Hindustan; and at the same time paved the way for his ulterior object of penetrating into Turkistan in search of a breed of horses, which it was his great ambition to domesticate in India. For this purpose he despatched, at his own expense, an intelligent native friend, Mir Izzet Ullah, who successfully completed the following tour—Kashmir, Lé in Ladakh, Yarkand, Kashkar, Kokan, and Samarcand to Bokhara—returning to India from the last-named city by the route of Balkh, Khulm, Bamian, and Kabul.† The information thus gained led to Moorcroft's own second enterprise.

* Quarterly Review, Vol. xvii.

† Izzet Ullah's own curious Journal of this expedition has been translated from the Persian by Professor Wilson, and printed in the *Calcutta Magazine and Review*, vols. iii. and iv., 1825.

Mr.

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Mr. William Moorcroft was a native of Lancashire, and educated at Liverpool for the profession of a surgeon; but after the usual course of study, his attention was diverted to a different pursuit. He was told by one or two shrewd persons, that by following the veterinary branch, closely connected with the interests of agriculture, he might render himself more useful and more distinguished than by continuing in one already cultivated by so many men of the most splendid talents. 'Convinced,' he says, 'by their arguments, but opposed by other friends, and especially by my master, the matter was compromised by a reference to the celebrated John Hunter. After a long conversation with me, Mr. Hunter declared that if he were not advanced in years, he himself would, on the following day, begin to study the profession in question. This declaration was decisive, and I followed the course of study which Mr. Hunter was pleased to indicate.'

Mr. Moorcroft went over to France to perfect his studies in the veterinary art, and on his return settled in London, where, in conjunction with Mr. Field, he carried on for some years a very prosperous and lucrative business. But, as ill-luck would have it, he became dissatisfied with the line he had chosen, and turned projector and speculator. Professor Wilson observes—

'The nature of the profession involved many occurrences unpleasant to a man of cultivated taste and warm temper, and, amidst intercourse with persons of station and respectability, collision with individuals not always possessed of either. Mr. Moorcroft, therefore, became disgusted with his occupation, although he speedily realised a handsome property by it. A great portion of this, however, he lost in some injudicious project for manufacturing cast-iron horse-shoes, and he readily, therefore, accepted an offer from the Court of Directors of the East India Company to go out to Bengal as superintendent of their military stud. He left England in May, 1808, in the same fleet (though in a different ship) with the writer of this notice, who, when he occasionally saw Mr. Moorcroft, during the voyage, as the vessels spoke, or on their touching at Madeira, little anticipated that he should ever become his biographer.'—*Preface*, p. xxi.

His practice in India was so successful that, as he observes, at the time he left the stud on his last travels, there was not above one horse diseased for ten that he had found when he took charge of it; and this amendment he attributes, among other things, to the use of oats, the cultivation of which he was the means of introducing into Hindustan. In order, however, to improve essentially and permanently the cavalry of India, he strenuously urged the introduction of the Turkman in place of the Arab horse. This had been one of the leading motives of the first journey across the Himalaya, to which we have alluded, and

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the same purpose prompted the second expedition, which terminated fatally for his project and himself. The government of Calcutta, in giving a reluctant consent to this journey, refused to grant to Moorcroft any accredited authority or political designation. He engaged in the enterprise at his own risk and expense, but was permitted to receive his allowances as superintendent of the stud. On his application to the Governor-General for a letter of introduction to the king of Bokhara, it was deemed expedient to refuse even this. Coupled with the plan of purchasing horses, he anticipated the creation of an extensive demand for British manufactures, specimens of which he was permitted to carry with him. He was accompanied by Mr. George Trebeck, the son of a solicitor in Calcutta; a good draughtsman and attached to geographical inquiries. Moorcroft always speaks of him as a young man alert, active, sanguine—enduring hardships and privations with cheerful fortitude, and meeting peril with high resolution. Burnes, too, when describing his burial-place at Mazar, says, 'this young man has left a most favourable impression of his good qualities throughout the country which we passed.'

Mr. Wilson has submitted to very great labour in arranging and sifting, and finally extracting a most valuable narrative from, the '*rudis indigestaque moles*,' as Moorcroft himself called it, of the little note-books, field-books, letter-books, and imperfect journals of these travellers. The wonder is, not that the publication has been so long delayed, but that the materials were ever preserved and recovered; and Moorcroft's name will not ultimately suffer, though some of his discoveries had in the interim been discovered over again by more fortunate adventurers. The Professor has divided his book into four parts. 1. The journey along the foot of the Himalaya, and the passage across it. 2. Residence at Lé, and various excursions thence in Ladakh. 3. Journey to and residence in Kashmir. 4. Journey by Peshawar and Kabul to Bokhara. The novel part of the work is that which relates to Ladakh.

1. About the end of October, 1819, Mr. Moorcroft left Bareilly to proceed through a part of the Punjab, on his way to cross the Himalaya Mountains. His companions were, besides Trebeck, Mr. Guthrie, a young medical officer; Mir Izzet Ullah, already mentioned; Ghulam Hyder Khan, a native of Bareilly, 'a stout soldier and faithful servant;' and twelve sepoys. A gentleman, eminent as a geologist and mineralogist, joined the party and commenced the journey; but, highly creditable to the proper feeling of Moorcroft, he says, 'his conduct towards the natives was so exceptionable that I was obliged, at a very early period, to decline his assistance.' They carried with them numerous and bulky packages

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packages of cottons, broad cloths, and hardware, to the value of between three and four thousand pounds, belonging chiefly to Messrs. Palmer & Co., of Calcutta, who incurred the risk in the hope of creating a demand for British manufactures in the heart of Asia.

It was Moorcroft's intention to cross the Himalaya through the Niti pass, the most direct and practicable road to Ladakh, and one with which he was already well acquainted; but on arriving at Joshimath on the 12th December, where porters and yaks had not been collected in sufficient numbers, it was announced that this Ghaut was no longer passable. He proceeded therefore to Srinagur, in order from thence to obtain permission from Runjeet Sing for advancing by way of Kulu. Srinagur had wofully declined since the visit of Captain Hardwicke in 1796, when thousands of pilgrims were assembled in the neighbourhood to bathe in the Ganges; but the conquest of the Gorkhas seven years afterwards, and, about the same time, an earthquake and an inundation, left it almost desolate. 'More than half the city,' says Moorcroft, 'was in ruins.'

At Tiri our travellers witnessed a sort of propitiatory rite to Mahadeva, called *Barat*, which consists in sliding down a rope fastened at one end to the top of a tree or elevated post, and carried obliquely to the ground, where it is fixed; in short, it is a rope *Montagne Russe*. The performer was an old man who had achieved the feat sixteen times without encountering any serious mishap; and he derived no slender credit, not to mention money, from his exemplary devotion. But we shall abstain from noticing those various tricks of fakirs and other holy and hungry impostors so numerously scattered over credulous Hindustan. Neither do we think it necessary to go into any of the details of this part of the journey, which skirts the southern foot of the Himalayan chain, from Almora to the Setlej; it is enough to say that every incident and object is accurately noted—especially all the numerous streams, and water-courses, and rivulets, which wind their way through the valleys as so many tributaries, some easterly to the Ganges, others westerly to the Indus—each valley and its inclosing hills running up to the base of the Great Himalaya, as the general grand trunk of all.

With equal minuteness is every little fort, temple, town, and hamlet set down—most of them in ruins, few flourishing, the people generally poor yet industrious, greatly oppressed by the ruling powers—but still more so by the rapacity of their minor officials. There was no want of cultivation in the valleys; besides the usual kinds of grain, the poppy-plant was used as food, eaten either raw or dressed with butter-milk, salt, and

 capsicum;

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capsicum; the lotus (*Nymphæa nelumbo*) was also an article of diet; and the sugar-cane was growing abundantly. The common fruits were mangos, apples, pears, apricots, pomegranates, cherries, and grapes. Oranges, limes, and lemons are plentiful, raspberries and berberries equally so—and currants of two kinds. The summits of the highest hills are clothed with firs of various kinds, and birches; the former yielding tar, pitch, resin, and turpentine: lower down three species of evergreen or live oak, the walnut, the hazel, and Lombardy poplar; and at the foot of the hills the Indian fig and bamboo, the rhododendron and the daphne, from the latter of which is fabricated the Indian paper; and roses of various kinds everywhere abounded, affording a plentiful supply of atar.

Nothing particular occurred to the travellers until they reached a place called Pinjor, not far from the Setlej, where they were fairly put to rout by *a swarm of bees!* Moorcroft says:—

'Having preceded my party, I placed myself in a cool spot, under the shade of a large pipal tree, on the branches of which I counted ten swarms of bees, of the kind called Bhaónra. Knowing the irascible temper of this bee, I warned my followers as they came up not to approach the tree. Notwithstanding this injunction and my own vigilance, as I remained in the shade, the bees were disturbed by a boy belonging to my train, and we soon felt the consequences. A bee fixed itself upon my left eyelid, and I had scarcely pulled it off when I was assailed by several others, who all aimed their attacks at my face. I fled through a thick fence into a neighbouring field, where a peasant coming to my aid set fire to some straw, and directed me to sit to leeward of the smoke. The camp soon exhibited a scene of the greatest confusion, and men and beasts were flying in all directions. Some of the fugitives sought shelter in Raipur, but were followed by their unrelenting foes, and the whole town of Raipur was presently in commotion. The scene was irresistibly ludicrous, however much the probability of mischief checked occasionally the disposition to laugh. At length the fury of the bees relaxed, and they retired to their head-quarters, leaving us at peace only at the close of day.'—vol. i. pp. 32, 33.

On their arrival at Bilaspur on the Setlej, the Raja was disposed to consider Moorcroft as an itinerant trader, little better than a pedlar, and seemed disinclined to honour the party with any particular notice. Mr. Moorcroft, however, having on the journey administered medicines to the sick, and frequently performed the operation for cataract, which he says is singularly common in these hilly districts, and having, during the three days of his stay at Bilaspur operated for this complaint on no less than eighteen cases, the fame of his skill reached the Raja's ears, who then condescended to visit him, and being himself indisposed, not only requested his assistance, but pressed him to remain till the effect of

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of the treatment could be ascertained; which, however, was declined, and the party proceeded up the left bank of the Setlej as far as Dehr, where they were to cross that river.

The stream was here about 150 feet in width, and running at the rate of five miles an hour. The party about to cross is said to have consisted of about three hundred persons, sixteen horses and mules, with about two hundred maunds of merchandise and baggage. The passage of this narrow but rapid river was effected on *dezis*, or inflated skins or hides of bullocks, which were conducted by thirty-one watermen, each managing a skin, who conveyed the whole across in little more than an hour and a half, without accident or injury.

They were now in the Mundi territory, a dependency on Runjeet. They were immediately met by a body of armed men, who prohibited their further progress, and ordered them to wait, until an answer should be received from their master at Lahore. In vain Moorcroft stated that he was simply a merchant travelling to Lé in Ladakh with goods for sale, on which he was willing to pay all customary duties. He then said that if they persisted in detaining him till the return of a messenger, he would himself have recourse to their chief, and repair to Lahore. No objection being made to this, he determined to proceed with a few of his people, leaving the rest and the merchandise under the charge of Mr. Trebeck. The Raja of Mundi even offered to allow him to proceed on his journey, if he would take all the responsibility on himself; which Moorcroft declined doing, as he had no pretence to any political authority. It would seem indeed that he was not sorry to have an opportunity of visiting a man who, even then, had made no little noise in the Eastern world.

Accordingly, he set out for Lahore on the 23rd March, and on the 6th May reached Shahlimar, the large garden laid out by Shah Jehan, in which strangers are generally ordered to take up their abode. In the course of the day, Runjeet Sing sent him sweetmeats and money, the latter of which he begged permission thankfully to decline; the Raja, however, ordered him to keep what had been sent, but left him at liberty to accept or not, as he might please, all such donations *in futuro*—which we suspect did not frequently call for the exercise of his discretion. On the second day after his arrival, he was ordered to be conducted to the presence of the Raja:—

'Having passed through one of the western gates of the fort, we crossed the garden, in which stands the Jama Masjid, or principal mosque. Thence a long flight of brick steps led to a second gateway and court, crossing which we came to a third gate that opened into a more spacious enclosure, in which stood a number of horses caparisoned. From

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From this we entered a large court flagged with marble, and on the side opposite the entrance was an open apartment, in which the Maharaja was seated. Upon my approach he partly rose from his chair, which was of gold (?), and pointed to another, of silver, opposite to him, for me to sit down upon. His courtiers sat upon the carpet on either side, forming a lane from his chair to mine. The gateways were well guarded, but here were only two matchlock-men, sitting one on either hand of the Raja.'—vol. i. p. 95.

Nothing could exceed Runjeet's civility; he showed him his horses and his troops, consulted him on the state of his health, his chief complaint being that he could not bear such strong potations as he had been used to do. Soon after leaving him, Moorcroft received a message to say he was at liberty to visit any part of Lahore, and desiring him to name the breed of horse he preferred, that he might make him a present of one. He consented to his proceeding through the districts of Mundi and Kulu to Ladakh; and, in case of his being unable to reach Bokhara from Upper Tibet, that he might use his authority to pass through Kashmir with two hundred followers. Having completed this successful negociation, Moorcroft departed on the 15th May; but having accomplished the ordinary distance of about one day's journey on the 29th—that is, in fourteen days!—he was recalled to Lahore, the Raja having been seized with an intermittent fever. Here he remained till the 8th June, when he was sent off in a howdah, on the back of an elephant, the shaking of which for fifteen hours, he says, threw him into a fever. We quote the following as an instance among the many which Moorcroft records of the feeling of gratitude, so prevalent among the poor people of Hindustan:—

'The sense of weariness and pain, and the extreme heat of the night, prevented my falling asleep. Whilst tossing about in a state little short of delirium, and having no servants, I was no less surprised than refreshed by the movements of a fan which a stranger was waving over my head. It proved to be a poor Kashmir weaver to whom I had given medicine, by which he had benefitted, and, observing my restlessness, he had thus testified his grateful recollection of my aid; this was of essential value, for I slept, and woke refreshed.'—vol. i. pp. 116, 117.

After the recent visits of Lord and Lady William Bentinck to Runjeet Sing, of Jacquemont the French traveller, and more particularly of Mr. Burnes, and the glowing descriptions which each and all of them have afforded of the splendid exhibitions, the *fêtes*, and the follies of this old *debauchée*, those of Mr. Moorcroft, of a much prior date, would appear 'flat, stale, and unprofitable.' From his account of his journey back to join his party at Sultanpur, which he did not reach till the 2nd August, we shall content ourselves with a single extract, descriptive of the appearance

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ance of the face of the country, which may apply to a large portion of the Punjab, or region of the five rivers:—

'Throughout the latter part of our march the appearance of the country was delightful: vast slopes of grass declined from the summits of the mountains in a uniform direction, but separated by clumps of the cedar, cypress, and fir: the rhododendron and the oak were growing upon our path; the ground was literally enamelled with asters, anemones, and wild strawberries. In some places the tops of the hills near at hand were clearly defined against a rich blue sky, whilst in others they were lost amidst a mass of white clouds. Some of them presented gentle acclivities covered with verdure, whilst others offered bare precipitous cliffs, over which the water was rushing in noisy cascades. In the distance right before us rose the snowy peaks, as if to bar our further progress. Vast flocks of white goats were browsing on the lower hills, and every patch of table-land presented a village and cultivated fields: glittering rivulets were meandering through the valleys, and a black forest of pines frowned beneath our feet.'—vol. i. p. 168.

But the happiness which so fine a country would be capable of bestowing on the millions who inhabit it, is blighted by the rapacity and oppression of its rulers, and the baneful superstitions inculcated by the ministers of their inhuman and senseless religion. 'The practice of the horrible rite of Saté,'* says Moorcroft, 'is frequent in these mountains: two widows were burnt during my stay, the elder of whom was not more than fourteen.' At Mundi the practice, Mr. Trebeck says, is carried to a frightful extent; 'on several occasions, I am told, the number of these victims of superstition has exceeded thirty.'

The travellers were now about to enter the mountains of Kulu, some of them not much inferior in height to the neighbouring ridge of Himalaya, of which they may be considered as offshoots. The ghaut or pass of Ritanka Joth, which forms a gap in the most northern and elevated mountains of this district, is stated to be above 13,300 feet high; it is the same, the editor observes, which Mr. Gerard crossed about ten years afterwards, and estimated at 13,000 feet. In this mountainous country, the prevailing vegetable products, as may be supposed, were materially changed:—

'Near Sitigiri, where we halted, there was little herbage except

* We regret that Professor Wilson should countenance what we cannot but think the idle affectation of Moorcroft's new readings of so many oriental names and words—*Ranjit Sinh* for *Runjeet Sing*—*Salé* for *Suttee*, &c. &c. In the specimen part, lately sent to us, of a new translation of the Arabian Nights, by Mr. Lake, we observe *Wezeer* for *Vizier*, and so on. We consider all this sort of thing as *humbug*; but so, indeed, is the whole notion of retranslating those inimitable tales. Does the new adventurer need to be reminded that a certain heavy and learned Dr. Scott tried the same thing twenty years ago, and never interrupted for a day the legitimate popularity of old Galland? The wood-engravings of this *specimen* are so exquisitely beautiful, in design and execution, that we are sorry to see them coupled with a text which has but slender chances of success.

stinking

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stinking hyssop, abrotanum, artemisia, pimpernel, chenopodium, and sorrel. The dog-rose was abundant, with a rich crop of scarlet hips. Gooseberry-bushes of large size grew by the side of our road, covered with fruit little larger than grapes, and very acid, even when ripe. The orange-coloured currant was rather less common, but the fruit was not more palatable. In a farm I met with some apple-trees bearing fruit about the size of a pullet's egg; the apples were unripe and as sour, though not so austere, as those of the wilding crab.'—vol. i. p. 204.

On the 6th September, the party commenced the ascent of the pass over the Himalaya, having engaged small ponies of about thirteen hands high, and short-tailed sheep to carry their goods and baggage. Having advanced a considerable distance up the ravine, they came to a basin of clear water of a deep green hue, about a mile in circumference. This small lake, it seems, collects the water from the surrounding heights, and may be regarded as the source of the Chinab. Mr. Gerard made its elevation 16,200 feet:—

'From the lake we ascended a steep pass that led over the rounded back of a part of the Bara Lacha ridge.* According to barometrical measurement we had attained here an elevation of 16,500 feet. Some of the peaks about us were apparently 1,000 feet higher. On all the great slopes and crests of the chain the snow lay in vast undisturbed masses. The summit of the pass was tolerably level. Immediately on crossing it we came to a pile of loose stones, formed by the contributions of travellers, and decorated with bits of wool and rags, and a piece of cloth with an inscription in printed letters.'—vol. i. pp. 215, 216.

They descended from hence to a plain about two miles in extent, but were still in the mountains, which Moorcroft calls the *Baralacha* mountains. At the extremity of the chain was a rivulet, which they followed till it opened suddenly into a lake about three miles round, called the Yu-nam. 'Not a weed deformed, nor a wave ruffled, its pellucid and tranquil waters; there seemed to be no fish in it, nor was any bird or even a fly in its vicinity.' The river beyond this, and flowing out of it, was named Ling-ti, in which was a high, square, insulated rock, constituting the boundary mark between Kulu and Ladakh. Of the ghaut or pass of the Himalaya, which Moorcroft has just crossed, he gives a more vague and unsatisfactory account than on the occasion of his passage of the Niti; but in neither is there any information regarding the objects of natural history that occur in this great

* Mr. Wilson says, 'Mr. Gerard calls this the Paralassa chain, and makes its elevation also 16,500 feet: the range which he calls Lachha he estimates at more than 17,000 feet. The proper denomination, if it has any, of this pass, is probably given by neither traveller; for La-tse, or La-sa, means any pass in a mountain, or the foot of a pass, and Ba-ra, between. Bara-la-tsa is therefore a mountain ridge or pass "between" two districts. According to Gholam Hyder, many of the party experienced severe headaches in crossing this elevation.'

mountain

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mountain range, which at the time would have been eagerly sought after, but which has since been partially supplied by Dr. Gerard, by Captain Johnston, and by Hodgson and Frazer.

Captain Johnston, of the 11th dragoons, with two other officers of the same regiment, proceeded in April, 1827, to penetrate the Himalaya to the sources of the Jumna, and thence to the confines of Chinese Tartary. They traced the course of the original branch of that river up to Jumnotree. Cursola, a small village situated in the very heart of the chasm, and the last group of dwellings in advance of this spot, is described as an isolated cluster of about twenty-five houses, 9,000 feet above the sea, with three or four small temples having excellent roofs of carved deodar wood; the inhabitants, thus separated, as it were, from the rest of the world, appeared to be in want of little or nothing of the necessaries of life. The glen from hence to Jumnotree was gloomy, and the peaks above were completely hidden by forests of the gigantic deodar. Jumnotree, the source of the Jumna, was the farthest point reached by Hodgson and Frazer; the peak above it, having an intermediate glacier, was estimated at 11,200 feet, and some hot springs at 10,840 feet above the sea.

Captain Johnston's party from hence proceeded to the left, and having crossed the Tonse River, a branch of the Jumna, passed along the valley of the Pabur to Jaen, the last village up the glen; near which was a splendid waterfall tumbling over a solid wall of rock, and making only two shoots of about 1,500 feet down the bed of the Pabur. The Brooang pass was accessible only over a bed of snow, or rather glacier, through which, at the elevation of 12,914 feet, the river burst forth, and, falling over a bare rock about 150 feet, again disappeared under the snow. The top of the pass was 15,300 feet, affording a magnificent view —to the north nothing but mountains covered with snow, and to the east and west the giant peaks of the Himalaya rose to the height of six or seven thousand feet above where they stood; the summits of some of them shrouded in the purest white, and others, as Kulding (21,100 feet), rising in naked barrenness, presenting to the eye vast pyramids of bare granite. In their descent from Brooang, on the northern side, the forests continued the same as on the south side; they measured a deodar pine (considered in India as cedar), and found it thirty-three feet in circumference, and from sixty to seventy feet without a branch. They continued their descent as far as the original branch of the Setlej, to a city called Kanum, situate on a fine table-land, 8,998 feet above the level of the sea, a place of considerable size, surrounded by rich cultivation; the temperature delightful. It contains a Lama temple, with an excellent library; and here they met with that singular

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gular Hungarian traveller, Tehoma da Coxas, who had arrived in search of the origin of the Huns. Moorcroft also met with him in Ladakh.

In the descent of the party into the region of Tibet, with the view of exploring this unknown country—at least this portion of it—Captain Johnston received a message, brought from the last station in Hindustan, from Lord Amherst, prohibiting, in the most positive manner, all attempts to proceed beyond the boundary of Hungrung, for fear of exciting the suspicions of the Chinese. Notwithstanding this disagreeable injunction, he and his party could not, however, resist making the ascent of the Keening Ghaut, 14,500 feet high, and thence taking a view of the Setlej. His lordship, in deeming it necessary to prevent the further progress of the travellers, had probably fresh in his recollection the ungracious reception he had met with at Yuen-min-yuen, and his intercourse with *Duke Ho;* but here, we conceive, there was little to be apprehended from the Tartaro-Chinese in the mountains of Tibet, or even at Yarkand, their head-quarters in these regions; they would merely have requested Captain Johnston in terms of great politeness to return, and have seen him perhaps a little on his way, as they did Mr. Manning, whose curious adventures, by the way, after a lapse of more than twenty years, have not yet met the public eye.

The peaks of the Brooang pass are far from being the highest of the Himalaya; there are to be found, further to the eastward, or rather south-eastward, much higher points than these. One or two have been stated, but not on satisfactory authority, to exceed 28,000 feet, but that of Dhawalagiri has been ascertained by repeated triangulation, carefully conducted by Colonel Colnbrook, Captain Webb, and others, to be more than 26,000 feet. This extraordinary range is chiefly composed of granite and gneiss, with mica-slate and quartz rock. It is stated that sandstone has been found at 16,700 feet; ammonites in limestone at 16,500 feet, and limestone rock extending to upwards of 20,000 feet.

A very interesting account of Captain Johnston's expedition, drawn up from his MS. by W. Ainsworth, Esq., will be found in the *Journal of the Royal Geographical Society of London*, vol. iv. p. 41. And some remarks on the botany and other branches of the natural history of the Himalayan Mountains, by J. Forbes Royle, Esq., F.L.S., are contained in the same work, vol. v. p. 361. Cultivation, Mr. Royle says, ascends on the south side as high only as from 9,000 to 10,000 feet, while on the north (in Ladakh for instance) it is found as high as 12,000. But magnificent trees are met with above these heights, on both sides, and far above them

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them again a close sward of highly succulent pasture is everywhere to be seen. The prevailing woods are the oak, pines of great variety, among which are enumerated the *P. webbiana, deodoora, excelsa,* and *morinda; rhododendron, taxus, betula, acer, cerasus,* and *populus;* the smaller trees are *juniperus, salix,* and *ribes;* the grasses, *agrestis, poa, festuca, bromus,* and *phleum.*

As to animals, Mr. Royle states that the *entellus* of the monkey family ascends to 9,000 feet. The tiger, leopard, and others of the feline tribe, follow their prey to about the same height; and the wild dog and hog abound. The *cervus jurao,* or great stag, is very common, as is also the *cervus rutwa,* or barking deer. The different species of antelopes are generally found in the higher regions, and on the elevated plains of Tartary and Tibet, but they also descend into the lower ones. Both the eagle and the vulture are common even to the highest peaks of the mountains; pheasants and partridges, to say nothing of crows, jays, and cuckoos, abound everywhere.*

2. But to return to Mr. Moorcroft. Though this indefatigable man has been forestalled by several authors, and his observations and descriptions rendered somewhat obsolete, yet the country of Ladakh and its capital Lé are fresh and untouched by any other European traveller, even down to the present time; and as this, strictly speaking, is the only portion of the work that can be called new, occupying more than one half the first volume and part of the second, it is but right we should bestow upon it as much space as we can afford. We omit, however, any detail of the numerous obstructions he met with, the tardy negociations with the natives and the consequent delay, all of which were conducted in the true Chinese style, before he was able to gain access to the capital; the intermediate rough and rocky country of Ladakh being as unfavourable for speedy travelling, as his place of residence there was uncomfortable. The approach and his reception are thus described:—

'The road led over a sandy ascent wholly destitute of vegetation, between two low ranges of barren rock. On turning a narrow defile, by the side of a pile of stones, it came to two large sepulchral towers, connected by a pile of stones a thousand paces long. We next came to a second pile, still longer, uniting two smaller towers, on the square sides of which was sculptured, in relief, the figure of an enormous quadruped of mythological invention, the head and breast of which something resembled those of a lion, except that the mouth was armed with tusks. .

* We may take this opportunity of expressing the great pleasure with which we have examined a superb quarto, called "The Himalaya Tourist," published as one of the annuals for Christmas 1837. The letter-press by Miss Emma Roberts, is too flowery, but the descriptions are nevertheless true and lively. The engravings are far superior to those in any other volume of the class, indeed the book is cheaper at *two guineas* than half the rest would be at two-pence.

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. . . . These lines of wall were the avenues to the town, in the streets of which we found ourselves presently after passing the second pile. The streets were crowded with people to see the entrance of the Firingis, and in the groups were mingled the good-humoured faces of the Ladakhis, and the sullen and designing countenances of the Kashmiris, the high bonnets of Yarkand, and the bare heads of the Lamas, with the long lappets and astonished looks of the women. The Khalun had ordered a house of his own to be prepared for us, which was sufficiently spacious to accommodate our whole party and our baggage, and which, although of rude fabric, was a palace to persons who had been so long exposed in tents, and those the worse for wear, to every blast of wind, and frequent visitations of snow and rain.'—vol. i. pp. 244-246.

The following passage gives the general outline of the country:—

'Although the country of Ladakh lies at a lower elevation than the mountain ranges, which serve as ramparts to its northern and southern frontier, yet its general character is that of its gigantic neighbours, and its lowest levels are in the vicinity of perpetual snow. It is, in fact, a series of narrow valleys, situated between mountains not of very great altitude as compared with the land at their feet, but ordinarily towering to a height above the sea, which surpasses that of the pinnacles of the Alps. The elevation of Lé itself is more than eleven thousand feet above the sea, and some parts of the northern pergana of Nobra are two thousand feet above that level. The passes that lead into Ladakh on its southern frontier are above sixteen thousand feet high, and there are several mountains within the country which are crossed in travelling from one valley to another, as the Kandu La, Chang La, and Parang La, which are of still greater altitude.'—vol. i. pp. 259, 260.

Through this rugged country, which Mr. Moorcroft supposes to be in extent about two hundred miles from the Karakoram or Black Mountains on the north to the Himalaya on the south, and about the same length from east to west, the main branch of the river Indus winds its way, with its numerous tributaries all flowing at the bottom of deep ravines, and generally between steep banks of naked rock. This great river, the most striking and important feature in the geography of Ladakh, rises in the Caillas Mountains, and is here termed the *Sin-kha-bab*, 'the river that rises in the lion's mouth.' Its two principal affluents are the Zanskar from the north and the Shayuk from the south. The Dras, also from the south, joins it at Lé. The Piti river and its tributaries pass the Himalaya towards the eastern portion of Ladakh, and constitute the original branch of the Setlej.

The surface of Ladakh, thus broken, as we have stated, by steep mountains and deep ravines or valleys, in which the rivers run, affords but little space for the labours of the agriculturist. The mountains being for the most part primitive, the decomposition of the granite and felspar has clothed the slopes and little levels with a coating of clay, sand, gravel, and pebbles, which is only

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only rendered productive by considerable industry and skill. Where not under cultivation, the aspect of the surface is one of extreme sterility, 'in which a few willows and poplars are the only timber-trees, and the chief verdure is that of Tartaric furze, with a few tufts of wormwood, hyssop, dog-rose, and other plants of the desert.' Then the climate of this mountainous and elevated region may be considered peculiarly inauspicious to the labours of the husbandman. Frost, snow, and sleet continue from September to May. In the depth of winter the thermometer stands rarely above 15°, and Moorcroft observed it on the 1st February at 9½°: the summer months are intensely hot. At Lé, on the 4th July, the thermometer rose to 134° in the sun, the temperature at night 74°. Even in winter, for a few hours in the day, the thermometer would rise to 80° or 84°, when it sank to 12° or 13° at night. It is the summer heat only that allows the crops to ripen. Moorcroft says, that barley sown on the 18th May was cut on the 12th September; and in a sheltered valley eight hundred feet lower, the same grain was ready for the sickle in two months. Yet, with all these unpromising conditions of soil and climate, the harvests, we are assured, are by no means unproductive, even without recourse being had to alternation of crops or fallow, and, it may be added, almost without what we should call manure. For want of wood the dung of cattle is consumed as fuel. The substitute, therefore, we are told, 'must be sought in the habitations of man,' wherein they are 'well provided with apartments for this purpose.' The floors are strewed with a coating of gravel three or four inches thick, and upon this the ashes of the burnt fuel and all kinds of offal are thrown to form the pabulum to sustain the nutritive properties of the soil. And in the true taste of the ancient inhabitants of the country—for all matters of this kind are redolent of China—'in some villages public receptacles are constructed for the people, and the accumulation of soil for general use.' Like the Chinese, too, they construct parallel stone walls along the sides of the hills, forming a succession of level terraces with stone channels to convey the water, conducted from some neighbouring rill, from the uppermost to the lowest terrace.

The plough is a simple machine of wood, generally willow, with an iron point, and drawn by a zho-ox, which Moorcroft says is the hybrid male between the *bos grunniens*, or grunting bull, and the common cow. The grain raised is wheat, barley, and buckwheat of various kinds, the description of which occupies fifteen or sixteen pages. With all the disadvantages of a bad soil and want of manure, Moorcroft mentions his having seen in one place a remarkable field of wheat. 'It was the finest crop I ever beheld; and a spirited English farmer would have thought himself

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himself sufficiently repaid for a ride of many miles by a sight of it;' but then he explains 'that, being close to the house of the farmer, it had probably obtained a larger share of manure than fields more distant.' There is one plant which, from Moorcroft's account of it, is well deserving of notice—'one of the most valuable sources of fodder in Ladakh, and perhaps of any country whatever.' It is called Prangos; its size varies according to its age, from a single leaf covering not more than an inch of surface, to a cluster of leaves and flowers spreading to a circumference of from twelve to eighteen feet. The head of the Prangos, including leaves, flowers, stems, and seeds, is converted into hay as winter forage for goats, sheep, and cows. Moorcroft says:—

'Considering the value of this plant as fodder, its growing in a poor sterile soil, in every variety of site, except actual swamp, and in a bleak, cold climate, and its flourishing wholly in independence upon the care and industry of man, it would seem probable that it might be introduced with national advantage into many parts of Britain, and would convert her heaths, and downs, and highlands, into storehouses for the supply of innumerable flocks.'—vol. i. pp. 291, 292.

To which Professor Wilson adds in a note:—

'The Prangos has been placed by Mr. Lindley amongst the Umbelliferæ as a new genus: the Ladakh kind he denominates *Prangos pabularia*. (*Asiatic Journal*, vol. xix. p. 798.) Mr. Royle considers it likely to be the Silphium of the ancients. (*Illustrations of the Botany of Himalaya*, p. 230.) The seeds sent home by Mr. Moorcroft in 1822, had, unfortunately, lost their vegetating power, and it does not appear that any subsequent supply has been received.'

But the plant which chiefly affords pasturage for the cattle, both tame and wild, is stated to be the *Long-ma*, or sand-grass, of which Moorcroft says—

'Although cattle do not fatten upon it, it is said to be very invigorating, and, perhaps, the extremely rich quality of the milk of the yak in winter may be due to this grass. The stories related by the carriers of its effects in restoring vigour to overworked horses border on the marvellous. It furnishes almost the whole of the winter food of the unstabled brood mares and colts of the Raja of Ladakh, of the kiang, or wild horse, of the yak, and of all cattle which are left unhoused at that season.'—*ib.* pp. 294, 295.

The most common culinary vegetables are onions, carrots, turnips, and cabbages, with a small quantity of carraway, mustard, and tobacco. Moorcroft talks of ten different kinds of apricots, of apples in great variety, and a very agreeable fruit of the size and shape of the French olive. It is called *sursing*, and has been named by Dr. Wallich *Elæagnus Moorcroftii*. Its chief use is said to be for the manufacture of a sort of brandy, which both Mohammedans and Chinese prefer to that distilled from the grape.

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grape. A long account is then given of the Ladakh rhubarb, its cultivation, medicinal virtues, and value as an article of commerce. Mr. Moorcroft enumerates only willows and poplars as the trees of Ladakh; we suspect he is mistaken, and that, in all the ghauts of that mountainous country, the deodar and the other trees of the southern side of the Himalaya of the same elevation, will be found.

The domestic animals are horses, asses, yaks, cows, the yak-mule, sheep, goats, and dogs. The horses are small, and the yak is mostly employed in the transport of burdens. Among the sheep he mentions one called the *purik*, remarkable for its diminutive size and its docile habits. The dog, he says, is scarcely more perfectly domesticated than this little animal:—

'During the day in the summer months it is pastured amongst the mountains, but at night, and throughout the winter, it finds shelter in a walled yard, or under the roof of its master. In this state it seeks with incessant assiduity, grass, straw, chaff, grain, peelings of esculent vegetables, and always attends the meals of the family for morsels of flour-cake, barley-meal, tea buttered and salted, or exhausted tea-leaves, and will sometimes even nibble a bone. It would be an invaluable appendage to the cottage of the British peasant, as it could be maintained at scarcely any cost.'—vol. i. pp. 310, 311.

The shawl-goat is one of the most valuable animals, and is common to all the neighbouring countries of Lassa and Chinese Turkistan, but the fleece is said to be of the finest quality in Ladakh, from whence it is exported to Kashmir, to be there worked into shawls. Besides the tame sheep and goats there are others wild, as the *ovis ammon*, &c. There is also a small wild horse called *kiang*, which in vast numbers scours the mountains and plains, but Moorcroft seems to doubt whether it is not more of an ass than a horse; adding, however, that it certainly is not the gur-khor or wild ass of Sindh. He rather suspects it to be something of the quacha kind of South Africa, though it is brown without stripes. The account given by him of its action agrees with that of the quacha: 'The kiang allows his pursuer to approach no nearer than five or six hundred yards; he then trots off, turns, looks, and waits until you are almost within distance, when he is off again.' Marco Polo, however, and most of the old travellers in these regions, mention it as the wild ass, and say that it is met with in large herds, from Kurdistan far to the northward and eastward. We have no doubt it is the same wild ass, of which one, if we mistake not, is in the Zoological Gardens.

The common habitations of Ladakh are mean, and but ill suited to the climate. They are of rude stones, or more generally of unburnt bricks, with flat roofs of poplar rafters crossed with willow

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willow shoots, over which is a stratum of straw, and finally a covering of earth, admitting the melted snow, and rain whenever it falls, which is but seldom. The bedding and furniture are simply a few felts and sheep-skins, a large chest, and two or three benches and stools. Their clothing is of woollen, their stockings of felt or knitted worsted, and they generally wear a cap of black cloth. Their food is equally simple; salted tea twice a-day, and a third meal of soup, meal-porridge, and bread. This is the common diet of the artificers and labourers; the farmers and the shepherds are of a higher class, and besides tea, which is their constant beverage, they use meat, rice, vegetables, and bread. They also drink *buza*, a sort of beer made from barley —and it is worthy of remark that an article of the same description, but made generally from maize or Indian corn, bears the same name, *boosa*, in Arabia and Northern Africa, among the boozers of which regions it is almost in universal use.

The Raja and his official servants derive their revenues from these poor people in kind, and they also voluntarily contribute to their lamas or priests in the same way, which it appears they are always ready to do; these teachers of a stupid religion being mostly of a mild, kindly, and humane character. But they are not themselves averse from the labours of agriculture. Their temples, like themselves, are humble, with roofs or ceilings supported on wooden columns painted red, and the pannels on the sides carved and ornamented with dragons resembling those of China. Like the Chinese, too, they have their zelums and anis —monks and nuns—each of whom have their religious establishments. The Chinese names of districts, mountains, and rivers still remain, pure or corrupted, and leave no doubt of whom the ancient population was composed. At Yarkand, and other parts of Tartary to the northward of Ladakh, the ruling authorities are still Chinese, but the inhabitants more to the southward are now, as they were some centuries ago, mostly Mohammedans. 'Islamism,' says Moorcroft, 'is evidently making rapid strides, and there is every reason to expect that before long Ladakh will be entirely a Mohammedan state.'

The goitre is so prevalent in the valleys of Ladakh as to have given to one village the name of Gonh (*Gong*, we suppose), which means 'enlarged neck.' It was so common among the females in particular, that scarcely a woman was free from it. This village is situated in a close, deep valley, flanked by steep and high mountains. Blindness was perhaps more universal than goitre, and the number on whom Moorcroft performed for the cataract is quite surprising. The extreme gratitude manifested everywhere by the poor people, whom our traveller had relieved,

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relieved, conveys a very favourable opinion of them. One day a young man ran up to his horse, took hold of the flap of his coat, and put it to his forehead; presently an old man came up and went through the same ceremony, after which they pressed him to pitch his tent. This poor fellow had recovered his sight by an operation at Lé the year before; the young man was his son:—

'When I had complied with their request they disappeared, but presently returned with provender for our horses, and firewood for ourselves, some flour, and a sheep: and no persuasion could prevail upon them to take back the articles, or receive their value in return. This was the only way, they said, in which they could show their gratitude for the blessing I had conferred upon the old man, and they prayed me not to reject such an expression of their thanks. I, therefore, accepted their presents, and was well pleased, though not at all surprised, to find so lively a sense of obligation entertained by these simple people.'—vol. ii. p. 21.

In short, wherever he went he had patients applying to him, who were all anxious to show their gratitude by presents of flour, bread, butter, tea, vegetables, and the like, 'so that,' says Moorcroft, 'had any stranger, unacquainted with the circumstance, seen me thus surrounded by my patients and their presents, he would have thought me a retail dealer of farm produce in the midst of his customers.'

In this miserable country—a wilderness of rocks and ravines—Mr. Moorcroft and his party spent two years, not altogether idly, it is true, but in making various excursions in all directions, and scrambling up the passes of the mountains, for little or no other purpose, as it would appear, than to record their having done so. He has ascertained, but it is not stated how, the height of the Psaka-la to be 15,000 feet; of the Kanda-la, the Parang-la, each 16,000 feet; of the Manbar, 16,500 feet; and the Chang-la, 17,800 feet. But we are not to suppose that so many feet of these great altitudes were actually ascended. They rise out of an elevated and rugged country whose 'lowest levels,' we are told, 'are in the vicinity of perpetual snow,'—that is, at the very least 12,000 feet; the town of Lé is stated to be 11,000 feet above the sea. The actual ascent, therefore, is the difference only between the numbers stated and that of the 'levels' out of which they rise.

Part of this delay in Ladakh was owing, however, to his waiting for the return of a native, Abdul Latif, whom he had sent to Yarkand to negociate with the Chinese authorities for permission to pass through that city. This was refused, though the messenger experienced no difficulties in proceeding thither, nor would Moorcroft himself, had he at once undertaken the journey. His

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stay in these upper regions, Professor Wilson observes, was perhaps more protracted than it needed to have been, and it appeared so to the Bengal government, which ordered the suspension of his salary during the further prolongation of his absence; an order that does not appear to have exercised any influence on his movements. He writes indeed to his friend Mr. Palmer, that this check shall not weigh upon his measures, 'although, on account of my children, I could wish to avoid encroaching on my past savings: yet even this shall not be exempt, if it be necessary to the completion of my objects. The accumulation of property can never afford such gratification to my mind, as the reflection of having been, in some degree, accessory to the benefit of my country; and of this retrospect no human power can deprive me.'

Moorcroft, however, was soon fated to experience the inconvenience of pecuniary difficulties. Having forty persons to maintain, and no opportunity to dispose of his merchandise at a fair price, he was obliged to negociate bills on his agents in Calcutta, through Sir David Ochterlony, the Resident at Delhi. Sir David, however, did not consider himself authorized to advance money on bills drawn by one not accredited by the Company, and refused payment till he had made a reference to Calcutta; and here was another cause of delay in Ladakh. The refusal produced a letter to the General, in which is deeply marked the warmth of Moorcroft's feelings, both of resentment against his own countryman, and of gratitude to a stranger and a Toork:—

'When my days were racked with anxiety,—my nights passed in sleeplessness,—when I saw only a refuge from loss of character in the miserable expedient of selling merchandise at one-third of its value, from a general combination of Kashmiri interest against me,—Providence raised up a friend in a native of Khojand, a trader of Yarkand, whose feelings of respect for British merchants, impressed by accounts related to him in Russia, induced him to advance money to relieve my embarrassment. This individual, Mullah Partab Bai, a name that should be dear to every true-born Briton, did not, with cautious prudence, send my bill to you previously, to ascertain its value (the fate experienced by my draft on Messrs. Palmer), but, with a liberality worthy of even a British merchant, advanced, on the instant, the money I required.'—*Preface*, pp. xl., xli.

'Again the generous Toork interposed. His friendship would not allow me to drain my nearly exhausted treasury of almost its last rupee, but replaced the ingots of silver I had borrowed, along with the interest and expenses, and gave me cash amounting, in the whole, to above seven thousand rupees, for which he ventured to accept my bill, in the fullest confidence on my honesty and honour. Under what feelings, but such as are painfully humiliating to me as a Briton, can I contemplate the contrast between the conduct of my countryman, the Resident at Delhi, and that of a stranger, a Tooranee merchant, who never before had

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had seen an Englishman? But his generosity stopped not at the mere point of accommodation; he hoped, by this proof of his own reliance on my integrity, to arrest the clamour of calumny raised against my character, and the effort has been completely successful. Thus, in this country the name and credit of a Briton have not yet been stained.'—*ib.* p. xlii.

Moorcroft's stay in Ladakh was the cause of incurring the disapprobation of the government, in an affair of still greater importance than his pecuniary concerns—we allude to his interposition in political matters, by becoming the medium of a tender made to him of the allegiance of Ladakh to British authority, and his writing to Runjeet Sing to expostulate with that chief on his unjustifiable demand of tribute from Lé. Mr. Wilson says, 'the fear of giving offence to Runjeet Sing, no doubt, induced the government to reprove Mr. Moorcroft, and to decline the proffered allegiance of Ladakh.' Runjeet Sing, however, did not appear to have taken offence at Moorcroft's interference; on the contrary, he wore the semblance at least of giving countenance to his projects, supplying him at this very time with matchlocks and bayonets wherewith to arm his followers. The conceited young Frenchman Jacquemont, when in Kashmir, pretends that *he* received a letter from Ahmed Shah of Ladakh, placing the country at *his* disposal, which communication, he has no doubt, 'is an answer to the overtures indiscreetly made six or seven years ago to this prince by Mr. Moorcroft.' But this is not true, the overtures to Mr. Moorcroft having come from another quarter; and as little truth is there in the assertion, that Moorcroft ever 'jesuitically gave himself a political character.' In accepting the tendered allegiance, Moorcroft appears to have been firmly convinced that the cause of humanity, of commercial benefit, and of political security, fully authorized him to do so. 'I conceived,' he says, 'the allegiance of Ladakh, voluntarily proffered, and imposing no obligation from which the slightest inconvenience could result, could not fail to be acceptable to my government, and I forwarded the memorial and tender to Calcutta. To have been visited with censure where I must still think I merited commendation, was a sufficient disappointment;' and he ascribes his subsequent difficulties and dangers 'to the harsh, peremptory, and public manner in which discredit was offered to his proceedings by the Resident of Delhi and the government of Bengal.'

3. The failure of negociations at Yarkand, and the return of Abdul Latif, who had been sent thither, hastened at length the departure of Moorcroft from Kashmir, whence he designed to pursue his route by Attock, Peshawar, and Kabul, to Bokhara. We have little to say of Kashmir, which has been so frequently

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described by travellers both before and since Moorcroft's visit—before, by Bernier and Forster, who are supposed to have highly embellished this secluded valley; and since by Jacquemont and Baron Hügel, who have seen it in no better, or rather indeed in a worse light than Moorcroft. In fact, from Bernier's account, confirming a previous impression, Kashmir was considered as a sort of earthly paradise. Shut in by the Himalaya on the north, and united to that mighty range, at its two extremities, by a circular sweep of mountains from ten to fifteen thousand feet in height, the general level of its own surface being nearly 6,000 feet, it became almost excluded, like the Happy Valley of the Prince of Abyssinia, from the rest of the world; accessible, however, by mountain passes to Tartary and Hindoostan, more especially to the latter by means of the great Hydaspes, which rises in and flows through it. Under a free and independent government, with the industrious habits of the people in agriculture and manufactures, it would soon be again, as it once was, a country of considerable prosperity; but the withering grasp of despotism, and the insatiable rapacity of the Sikh ruler, Runjeet Sing, have reduced this once happy valley almost to a desert. Jacquemont says, that in its present state 'it surpasses all imaginable poverty;' that 'it is a land of beggars, scoundrels, and bandits;' and that 'the roguery of the Kashmirians is proverbial in the East.' Moorcroft says pretty much the same:—

'In character the Kashmirian is selfish, superstitious, ignorant, supple, intriguing, dishonest, and false: he has great ingenuity as a mechanic, and a decided genius for manufactures and commerce, but his transactions are always conducted in a fraudulent spirit, equalled only by the effrontery with which he faces detection. The vices of the Kashmirian I cannot help considering, however, as the effects of his political condition, rather than his nature, and conceive that it would not be difficult to transform him into a very different being.'—vol. ii. pp. 128, 129.

His account of the capital matches that of the people; and the gardens, of which so much was formerly said, now present a striking picture of wretchedness and decay:—

'The general character of the city of Kashmir is that of a confused mass of ill-favoured buildings, forming a complicated labyrinth of narrow and dirty lanes, scarcely broad enough for a single cart to pass, badly paved, and having a small gutter in the centre full of filth, banked up on each side by a border of mire. The houses are in general two or three stories high; they are built of unburnt bricks and timber, the former serving for little else than to fill up the interstices of the latter; they are not plastered, are badly constructed, and are mostly in a neglected and ruinous condition, with broken doors, or no doors at all, with

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with shattered lattices, windows stopped up with boards, paper, or rags, walls out of the perpendicular, and pitched roofs threatening to fall.'—vol. ii. pp. 118, 119.

But the following account is still more deplorable; and things have progressively grown worse, as testified by Baron Hügel, who states the population of the valley to have declined to one-fourth of what Moorcroft makes it, that is, from 800,000 to 200,000.* The latter says—

'The population of the City of Kashmir, although much diminished, must be numerous. One hundred and twenty thousand persons, it is said, are employed in the shawl manufacture alone; and, although this is the chief employment of the population, yet the other trades and occupations, essential to the support of a large city, must, at least, double the amount: the population of the province is estimated at eight hundred thousand. Everywhere, however, the people are in the most abject condition; exorbitantly taxed by the Sikh government, and subjected to every kind of extortion and oppression by its officers. The consequences of this system are, the gradual depopulation of the country: not more than about one-sixteenth of the cultivable surface is in cultivation, and the inhabitants, starving at home, are driven in great numbers to the Plains of Hindustan. In like manner the people of the city are rapidly thinning, though less from emigration, than poverty and disease: the prevalence of the latter in its most aggravated forms was fearfully extensive. I devoted every Friday to the reception of visits from the sick, and a greater number and cases of greater inveteracy crowded round my door than ever presented themselves at the Hôtel de Dieu. I had at one time no fewer than 6,800 patients on my list, a large proportion of whom were suffering from the most loathsome diseases, brought on by scant and unwholesome food, dark, damp, and ill-ventilated lodgings, excessive dirtiness, and gross immorality.'—vol. ii. pp. 123, 124.

The floating gardens on the lakes for the production of melons and cucumbers are curious and minutely described. They are composed of the thick-growing aquatic plants near the margins of the lake, cut off at a foot or two below the surface of the water, and pressed into close contact; there is then laid upon them a stratum of the tops of sedges, reeds, and other plants—and on these again a slight covering of mud; each bed is about six feet broad, and of an indefinite length. Moorcroft says he traversed about fifty acres of these floating beds, and saw not above half a dozen unhealthy plants; 'nor have I seen in the cucumber and melon grounds in the vicinity of very populous cities in Europe, or in Asia, so large an expanse of plant, in a state equally healthy.'

Mr. Moorcroft gives a very minute description of the whole process of the shawl manufacture, of which it would be impossible for us to convey any idea within any reasonable compass,

* Journal of the Royal Geographical Society, vol. vi. p. 348.

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but Mr. Wilson states that 'the creation of the manufacture of British shawls is no doubt to be ascribed, in a great degree, if not solely, to Mr. Moorcroft, he having sent to England patterns of shawls, and information regarding their manufacture.' Their method of damasking sword-blades, and of twisting gun and pistol barrels, for which the Kashmirians were once celebrated, is also given in full detail by Moorcroft;—but this species of manufacture, like that of shawls, (and indeed of all other branches of industry,) is so enormously taxed, that if the system should be continued much longer Kashmir must lose both entirely.

In the mountains that enclose the valley of Kashmir are immense forests of that noble tree the deodar pine (*pinus deodara*). The timber of this tree is extensively used in their temples, mosques, and buildings in general. Such, says Moorcroft, is its durability, that in none of the 384 columns of the great mosque of Jama Musjid 'was any vestige of decay, from exposure or insects, to be discovered, although they have been erected above a century and a half, and have received, for some time past, very little care.' Most of the bridges over rivers and canals are constructed chiefly of this timber, and Moorcroft tells us that pieces taken from one of these 'were found little decayed, although exposed to the action of water for 400 years.' We are glad to find that this noble tree has been introduced, however tardily, into England. We understand that several hundred plants are now growing vigorously in Lord Harrington's park at Elvaston, and that specimens are to be found in several other places.

What a source of most valuable timber for ship-building in India do these deodar forests of Kashmir offer, and how easily could it be floated down into the Sutlej and the other waters of the Punjab, all communicating with the Indus, and conveyed by it to the sea-coast, provided that river and the fertile provinces crossed by its confluents were annexed, as they ought to be, to British India; for we maintain that until the Indus be made the western boundary as high up as Attock, there is no security against foreign invasion from the same quarter which admitted the victorious Alexander into the Punjab; nor indeed is India secure from invasion without the occupation of the Affghan territory as high up as Kabul. The rightful sovereigns of this territory, Kashmir, and the Punjab, are the two unfortunate brothers, the sightless Zemaun Shah and Shah Shoodjah el Molok, both living under the bountiful protection of the British government at Lodiana. Runjeet Sing is on the brink of the grave: his death must create that disturbance which almost invariably follows the demise of an usurper; and humanity, sound policy, and justice

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to the multitude of oppressed inhabitants, who must be the greatest sufferers at such a crisis, would authorize the interposition of the British government so far, at least, as to restore the deposed sovereigns to their rightful possessions, and to occupy and govern the country in their names. It is impossible now to mince the matter; we have, from uncontrollable circumstances, proceeded so far, that to stand still will be as fatal as to retreat. We have long had under our protection the Great Mogul, the King of Oude, the Rajah of Mysore, and a host of other petty rajahs, to the great benefit and blessing of their subjects and the whole people of Hindustan. This is no vague assertion—it is attested by every Englishman who has been through the provinces, as well as by a witness who will not be accused of partiality towards England. 'One must have travelled in the Punjab,' says Jacquemont, 'to know what an immense benefit to humanity the English dominion in India is, and what miseries it spares eighty millions of souls!' And having stated the enormous population of the Punjab that subsists only by the slaughter of others, he adds, 'I cannot witness the frightful evils of such a system without ardently desiring to see the English extend their frontiers from the Sutlej to the Indus;' coupling with this, however, a further desire, in which we by no means accord, 'that the Russians should occupy the other bank of the river.' In our opinion, the possession of the Indus would be the surest means of preventing Russia, or any other power, from occupying 'the other side of the river.'

4. Mr. Moorcroft and his party quitted Kashmir on the 31st July, 1823, but returned, and did not finally leave it till the middle of October, having spent a whole year, very nearly, in that valley, for what purpose, after their return more especially, excepting that of making excursions, does not clearly appear. When fairly under way he proceeded by the route of Peshawar and Kabul, of which we have already had so much from the accounts of the embassy of Mr. Elphinstone and the journey of Lieutenant Burnes,* as to make it unnecessary for us here to dwell on that part of the journey, or even on the route from Kabul to Bokhara.

At Kunduz he was kept a prisoner, and robbed of goods to the value of some 20,000 rupees, by that most accomplished scoundrel Murad Beg, from whose fangs Burnes, with all his wit and activity, barely escaped with impunity. The delay and vexation caused by this monster, at this most pestilent spot in the whole journey, laid the foundation of that general disease which finally destroyed so many of the party. Some good and generous men

* Quarterly Review, vols. xiv. and lii.

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are to be met with in every country; and thus at Kunduz, our traveller having thrown himself on the protection of a holy man who was supposed to have great influence on the rapacious chief, he assured him of his good offices as far as they could avail, and hoped he could secure both his person and property from any further aggression: this was a duty, he said, which he owed to a stranger who had thrown himself upon his protection; it was a duty he owed to God. It was in vain that Moorcroft urged his acceptance of a pair of handsome shawls and two dresses of broad cloth; he persisted in declining the present, not from any disrespect to the stranger who offered it, but out of regard to his own reputation. He would accept, he said, what was offered, but having done so, it became him to give it back again, that it might not be said his interposition was interested. By means of this good man he effected his escape secretly, just when further robbery was in contemplation. Moorcroft says, 'when the moment of departure arrived, he blessed me and I took my leave, sincerely grateful to him for an interposition which alone could have preserved us from destruction, and which had been exercised throughout the whole affair in a manner uniformly kind, benevolent, and though gentle, yet resolute.'

Mr. Moorcroft, after all the dangers, delays, and vexations occasioned by the monster of Kunduz, confesses that he had 'lost count of the course of time;' but it was on the 1st February, 1824, that he came to the district of Mazar. He halted at the city, and thence proceeded to Balkh, which he describes pretty much as Burnes did ten years afterwards. From Balkh he advanced towards Bokhara, crossing the Oxus at the ferry of Khwaja Salah, the river being here about as wide as the Thames opposite the Temple Gardens. The boats were tracked across by horses swimming, the river in places being five fathoms deep. He then halted at Karsh, a town inferior only to Bokhara. Proceeding thence over a cultivated strip of ground on which the city stands, he says, 'we again came to a sandy and sterile tract, less undulating than that nearer the river, but equally unproductive. It was with no slender satisfaction that on the morning of the 25th February, 1825, we found ourselves at the end of our protracted pilgrimage, at the gates of that city (Bokhara) which had for five years been the object of our wanderings, privations, and perils.'—And here also ends the present work.

The reason assigned by Professor Wilson for breaking off the narrative thus abruptly, is as follows:—

'Mr. Moorcroft remained at Bokhara nearly five months, but the notes which he has left of his residence are so very desultory and imperfect, and so much superseded by subsequent publications, that I have thought

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thought it advisable to close the account of the journey with his arrival at that city. He was received by the King with as much kindness as could be expected from Mir Hyder, a selfish, sensual, and narrow-minded bigot, and, after various difficulties, arising from the meanness and cupidity, chiefly, of the monarch himself, disposed of part of his goods, and effected the purchase of a number of valuable horses, with which he purposed to return to Hindustan. After crossing the Oxus on his way back, about the 4th or 5th August, 1825, Mr. Moorcroft determined to deviate from the road, in order to go to Maimana, where he understood it was likely that he should be able to make important additions to his stock of horses. "Before I quit Turkistan," he writes from Bokhara, "I mean to penetrate into that tract which contains, probably, the best horses in Asia, but with which all intercourse has been suspended during the last five years. The experiment is full of hazard, but *le jeu vaut bien la chandelle*." His life fell a sacrifice to his zeal. At Andhko, where he spent some days in effecting purchases, he was taken ill with fever, and died.'—*Preface*, pp. xlvi., xlvii.

Burnes and Meyendorff have satisfied our curiosity with regard to Bokhara; what we still want, and which no one has afforded us since the days of Timur Khan, is an account of Samarcand, to the eastward of Balkh—that city of 150,000 inhabitants, and that extensive plain on which it stands, studded with dwellings in the midst of gardens and groves, where Clavijo, the envoy of Henry III. of Castille to Tamerlane in 1403, two years before the death of the Tartar Khan, was present at a splendid fête, on which occasion, says the ambassador, his nine queens caroused wine out of golden goblets till they all got royally drunk. Of the present state of that once-embellished plain, and of what still may remain of that once-renowned city, we should like very much to see a true and lively description.

The death of Moorcroft was correctly ascertained by Burnes: he observes, however, '*if* he died a natural death, I do not think he sunk without exciting suspicion;'—but Mr. Wilson says, 'there is no reason to believe that this was the case, although he had fallen among robbers, who seized upon his property, and put his followers into confinement. Such was the luckless fate of an individual who, whatever may be thought of his prudence or judgment, must ever stand high among travellers for his irrepressible ardour, his cheerful endurance, inflexible perseverance in the prosecution of his objects, and his disinterested zeal for the credit and prosperity of his country.' His followers, as soon as liberated by the intercession of a holy man, conveyed their master's body to Balkh, where it was buried. And here another loss was sustained by the death of Mr. Guthrie, the medical assistant. Mr. Trebeck, now left alone, moved on to Mazar, was there seized with fever, and, after a short illness, followed his companions to the

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the grave. 'After burying his two European fellow-travellers,' says Mr. Burnes, 'he sunk at an early age, after four months' suffering, in a far distant country, without a friend, without assistance, and without consolation.' The fatality did not stop here. Mir Izzet Ullah, who had quitted the party at Kunduz, died in the course of the following year at Kabul; the germ of death, Mr. Wilson thinks, having been imbibed at this notoriously unhealthy place; and then ultimately the whole party fell victims to the rapacity of that barbarian robber Murad Beg.

We think, on the whole, that this narrative might have been advantageously condensed into one volume. We have no doubt, however, that the editor has only done what he thought due to Moorcroft; and all must at any rate be thankful that the labours of so enterprising and indefatigable a traveller have by the care and industry of Professor Wilson been rescued from oblivion.

ART. V.—1. *Report from the Select Committee on Publication of Printed Papers; with the Minutes of Evidence and Appendix.* Ordered by the House of Commons to be printed, 8th May, 1837.

2. *The Speech of Sir Robert Peel in Vindication of the Privilege of the House of Commons to publish its Proceedings.* London. 1837.

3. *A Letter to Lord Langdale on the Recent Proceedings in the House of Commons on the Subject of Privilege.* By Thomas Pemberton, M.P. Second Edition. London. 1837.

4. *Remarks on a Report of a Select Committee of the late House of Commons on the Publication of Printed Papers.* By P. A. Pickering, Esq., A.M. Second Edition. London. 1837.

IT is the remark of Hume, that the complicated machinery of our government, the King, the Lords, the Commons, the Army and Navy, the public institutions, the great officers of state, are all established for the purpose of bringing twelve men into a jury-box. This remark places in the most striking point of view the paramount importance of the administration of justice, the consideration due to the courts of law in comparison with all the other institutions of society, and the imperative necessity of preserving the judicial authority unimpaired. Whatever our reforming ministry may think, (or rather say, for we believe many of them are conservative in their hearts), it would be just possible for this great country to exist for the next ten or twenty years, and, what is more, enjoy a reasonable proportion of prosperity, without

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without the aid of that assembly which at present aspires to concentrate the whole of the public interests on itself—in other words, without any new laws at all; but the slightest arbitrary interference with existing laws, the first attempt, systematically planned and tamely permitted, to overawe, silence, or exercise an undue influence on the bench—no matter from what quarter, popular or unpopular, it may come, nor under what name, privilege or prerogative, it may be made—is a blow aimed at the very foundations of society, and at once renders all the most cherished results of good government—life, property, and reputation—insecure. A firm conviction of this truth induces us to devote a few pages to the momentous question raised by Lord Denman's decision in the case of Stockdale against Hansard, which amounts to nothing less than this—Does or does not a single branch of the legislature, a body constituted in a prescribed manner for particular purposes, possess the legal right of dictating to the judges, and nullifying their declaration of the law, on all occasions which the body in question may deem favourable for the extension of its power? We say 'constituted in a prescribed manner for particular purposes,' because the claim set up by certain members for the House of Commons, as representing the nation, is preposterous. The House, according to the true theory of the Constitution, no more represents the nation than the House of Lords, which stands on precisely the same footing so far as this particular question is concerned, and possesses precisely the same amount of privilege as what is termed the popular branch of the legislature. This identity of rights should be kept constantly in mind; for many who would not be disinclined to snatch a privilege beyond the reach of precedent for the benefit of a democratic assembly, may be somewhat checked by the reflection that an hereditary and aristocratic one would cry halves.

The circumstances which gave rise to the controversy may be stated in few words. The inspectors of prisons appointed by the Home Secretary under the 5th and 6th William IV. had presented a report to the Crown stating, amongst other matters, that they had discovered in Newgate, in the possession of the prisoners, the * * * * by * * * *, published by Stockdale, 1827. 'This last,' they say, 'is a book of a most disgusting nature, and the plates are obscene and disgusting in the extreme.' The House of Commons ordered this Report (compiled neither for nor by themselves) to be printed for general sale and circulation, and thereupon Mr. Stockdale brought an action against Messrs. Hansard for the above (as he alleged) libellous description of his work. The cause was tried before Lord Denman in February last.

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last. The Attorney-General, for the defendants, relied on the order of the House, to which the ready reply was, that although a publication of the sort might be protected whilst confined to members, it ceased to be so when exposed to sale, or otherwise circulated in a manner not required for the immediate purposes of the House. Lord Denman charged the jury to the following effect:—

'"It seems to me, gentlemen, that the only questions for you upon the general issue can be, first, whether the publication was by the defendants at all; and, secondly, whether it is a publication of a libel; because, on the third ground, namely, that this is a privileged publication, I am bound to say, as it comes before me as a question of law for my direction, that I entirely disagree from the law laid down by the learned counsel for the defendants. *I am not aware of the existence in this country of any body whatever that can privilege any servant of theirs to publish libels of any individual.* Whatever arrangements may be made between the House of Commons and any publisher in their employ, I am of opinion that the publisher who publishes that in his public shop, and especially for money, which may be injurious, and possibly ruinous to any one of the king's subjects, must answer in a court of justice to that subject, if he challenge him for a libel. And I wish to say so emphatically and distinctly; because I think, that if upon the first opportunity that arose in a court of justice for questioning that point, it were left unsatisfactorily explained, the judge who sat there might be an accomplice in the destruction of the liberties of the country, and expose every individual who lives in it to a tyranny that no man ought to submit to."'

The jury found for the printers on the plea of not guilty, (*i. e.* against the privilege,) but gave a verdict for them on the plea of justification, evidence being given that the book was, in fact, of the character set forth. The action therefore was defeated and at an end, but the high-spirited and independent tone of the Chief Justice's remarks naturally enough attracted the attention of the House, and, as might have been expected, his old friends and patrons the Whigs were amongst the foremost to assail and calumniate him for thus raising by anticipation the firm and (we trust) lasting barrier of judicial authority against the constant though gradual encroachments of democracy. An honest desire to preserve the immunities of each branch of the legislature unimpaired, induced many real friends of the Constitution to unite in the first instance with its undoubted enemies in this attack, but most of them have now seen their error, and, unless we are much mistaken, the rest will not be sorry to be convinced that they were wrong.

Shortly after the trial, on the motion of Lord John Russell, a select committee was appointed 'to examine precedents with respect

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spect to the circulation and publication of reports and papers printed by order of this House, and to ascertain the law and practice of parliament prior to, and since, the order for the sale of such papers.' The precise subject of inquiry is here accurately defined, and, in our opinion, the committee would have done well to confine themselves to it. *Diis aliter visum*, and the occasion was taken to put forth pretensions which nothing short of precedents drawn from the palmy days of the Long Parliament could support.

'77. Upon the whole matter referred to your committee, they report as their opinion,—that the power of publishing such of its reports, votes, and proceedings, as it shall deem necessary or conducive to the public interests, is an essential incident to the constitutional functions of parliament, more especially of this House, as the representative portion of it.

'78. That by the law and privilege of parliament, this House has the sole and exclusive jurisdiction to determine upon the existence and extent of its privileges; and that the institution or prosecution of any action, suit, or other proceeding, for the purpose of bringing them into discussion or decision, before any court or tribunal elsewhere than in parliament, is a high breach of such privilege, and renders all parties concerned therein amenable to its just displeasure, and to the punishment consequent thereon.

'79. That for any court or tribunal to assume to decide upon matters of privilege, inconsistent with the determination of either House of parliament thereon, is contrary to the law of parliament, and is a breach and contempt of the privileges of parliament.'

These resolutions were forthwith adopted by the House on the motion of Lord Howick, and from the manner of their adoption, it would seem that every step taken by the House in this business was predestined to be irregular and ill-judged—

'The motion'—says Mr. Pemberton, in a pamphlet of remarkable ability—'being on a matter of privilege, was brought on out of its turn, at nine o'clock at night, in a very thin House. Sir Robert Inglis (to whom the country is under the greatest obligations for his conduct through the whole of the proceedings,) entreated that the subject might be postponed till members could have an opportunity of considering the resolutions which they were called upon to pass. It was not, however, thought necessary to interpose any delay; the thinness of the House was attributed to the unanimity of feeling which was said to prevail, and the discussion therefore proceeded. The vast and uncalled-for extent of the resolutions—their doubtful legality—the danger of passing—the impossibility of executing them—were urged, but urged in vain, by some lawyers who happened to be present; and, finally, the motion was carried by a very large majority.'

Hardly a day was suffered to elapse before the imprudence of this

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this mode of proceeding became apparent to every one, and the retreat of these asserters of privilege was as ignoble as their onslaught had been rash. Mr. Stockdale commenced fresh proceedings against Messrs. Hansard; Messrs. Nicholls received notice of an action for a libel alleged to be contained in a petition printed and sold by order of the House: the printers presented petitions praying directions how to act: and it was now for the House to say whether they would enforce their resolutions by committing all (including the Judges) who should presume to dispute, discuss, or impugn the alleged privilege, or, by tamely permitting the actions to proceed, virtually succumb to the jurisdiction of the courts. After a good deal of kicking and spluttering, it was deemed best and wisest, if not most honourable or most valiant, to back out, and (most lame and impotent conclusion!) on the motion of the Attorney-General, it was resolved, that the printers should be permitted to plead, and the Attorney-General be instructed to defend them—a resolution which simply procrastinates the grand conflict till the actions now pending have been tried. The reflections suggested by the debate on this occasion, will be best given in the expressive words of Mr. Pemberton:—

'Had the proposal of this course, and its adoption by the House, been unaccompanied by observations inconsistent with its spirit and effect, the question might have been considered as finally settled, as far as the public have any material concern in it. The law would have been determined by the proper tribunals; and if, as established, it required alteration, that alteration would, without difficulty, have been made by the legislature. But, unhappily, it was thought necessary by individuals of high authority to attempt to reconcile this course of proceeding with the resolutions—to deny the jurisdiction of the Courts of Law in the very article of submitting to it—to contend that the vote of the Commons was binding upon the Judges—and even to intimate, that if the law was found to be against the House, it would be still competent to vindicate its own authority by its own power. Surely this language must have been used, to say the least of it, very inconsiderately. They who uttered it cannot really contemplate acting upon it. Whatever objections to interference by the House with the courts of justice existed before the matter was committed to the Judges, have now been increased a thousand-fold. In what way is the House to interfere? Either it must compel the Judges to declare the law in conformity with the opinions of the Commons, or it must set up and enforce its own declaration of the law against the declaration of the Judges. Is either of these courses practicable? The Judges have no discretion; they are bound by their oaths. They *cannot* obey the orders of the House of Commons—they *must* decide according to what they believe to be the law. Does any man suppose that it is possible to compel them to decide otherwise?

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On the other hand, is it to be expected that the nation will admit the declaration of law by the House of Commons in its own favour, as conclusive against the judgment of the highest legal tribunals in the country? or will support the House if it should endeavour to establish its decisions by force? Would not such an attempt be regarded by the people as an attempt to crush the independence of the Judges, and substitute arbitrary power for law? Is there not reason to apprehend, that if the House of Commons should attempt to take the law into its own hands, the people may be provoked to take it into theirs? God forbid that such a crisis ever should arrive; but lest it should, let us inquire what the claims of the House of Commons are, and upon what grounds of reason or authority they rest.'

The burthen of proof lies of course on the asserters of the privilege, and their best arguments and leading authorities are to be found in the Report of the Select Committee and the published Speech of Sir Robert Peel. The Report, however, is by no means such as the public were entitled to expect, when the momentous character of the claims originated by it is considered; and, judging from internal evidence, we should say, that the most distinguished members whose names are subscribed to it, could have had little or nothing to do with the composition of the argument, which is now admitted on all hands to be singularly deficient in acuteness, logical connexion, and research—to say nothing of occasional instances of overstatement or suppression, savouring more of a discreditable kind of *nisi prius* advocacy than of the candour and frankness by which such documents should uniformly be marked. Sir Robert Peel's speech, therefore, is the main prop of the resolutionists: and in point of spirit, command of language, and felicity of illustration, it fully sustains his reputation as the most effective parliamentary speaker now living. But considerable legal lore, and what Blackstone terms a 'legal comprehension,' were necessary to analyse and distinguish the cases, and select and apply the precedents; it is no discredit to Sir Robert Peel that such acquirements lay beyond the pale of his pursuits: nor ought his warmest admirers consequently to be much astonished when they find that all his main positions are based on what—with all due deference be it spoken—every lawyer of discrimination must pronounce to be fallacies. One of these, pervading the whole speech, and warping the whole tenor of the argument, we think it best to indicate at once. Adopting an error in the Report, and misled probably by the concluding terms of Lord Denman's charge—(which are more general than the occasion required)—Sir Robert Peel assumes throughout that all papers stand on the same footing, and that it matters nothing with whom any given document may originate,

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or whose statements or opinions it may express, provided it be printed by the order of the House. Now, it will be found on a careful examination of the authorities, that its proceedings, strictly so called (including its own votes, resolutions, and perhaps reports), resemble the proceedings of courts of justice in this respect, and a fair report or reprint of them would be protected; but the thing of which Mr. Stockdale complained was in no sense whatever a proceeding of the House, unless the House can be considered as adopting the authorship of every absurd petition printed by its order. That this *may* be done, it is far from our intention to deny. For example, the majority might possibly throw the shield of privilege over a calumnious paragraph by incorporating it in a resolution, just as a judge might attain the same laudable object by incorporating it in his charge; but the bare order to print would make no change in the character of the publication, and would be equally inoperative in either case. The soundness of this distinction will appear when we come to the cases. We shall now proceed to a systematic examination of the speech—convinced that, if we succeed in answering Sir Robert Peel, we shall, *ipso facto*, have disposed of all the rest of the controversialists who agree with him. His division of the subject is marked by his usual perspicuity:—

'I found the claim to this right, first, upon the deductions of reason and common sense, from a review of the constitutional character, functions, and duties of a representative assembly, forming one branch of the legislature, being, as they are called by Lord Coke, "the general inquisitors of the realm, coming out of all the parts thereof," and summoned to advise the king:—"De communi consilio super negotiis quibusdam arduis et urgentibus, regem statum et defensionem Regni Angliæ, et Ecclesiæ Anglicanæ, concernantibus."

'I found this claim, secondly, upon the recorded declarations on great constitutional principles by the highest constitutional authorities; and lastly, upon the decisions of the courts of law.

'This is the outline and general scope of my argument, and I shall proceed to establish the privilege to which I lay claim, upon each of the several foundations on which I consider it to rest. First, it is a privilege essentially necessary to the *proper* discharge of our legislative and inquisitorial functions; and, if necessary, deriving its origin and validity from that necessity.'—pp. 5, 6.

The plea of necessity, as here stated, is to all intents the same as has been uniformly advanced in justification of the most dangerous encroachments of prerogative. The power of levying ship-money was 'necessary' to enable the king to provide for the safety of the state; the power of issuing general warrants was 'necessary' to enable the executive to act with vigour and effect; and

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and in either instance it was plausibly contended that the person invested with the power was, and must be, the sole judge of the necessity.* But in each instance the plea was overruled, and we thought it was now settled beyond the possibility of a doubt, that, by the law of England, no right or privilege could be claimed of necessity, unless it was absolutely indispensable to (not merely convenient for) the performance of a prescribed duty or the enjoyment of an acknowledged right. An apt illustration is afforded by what the law terms ways of necessity. If a man grants a field, a mode of access is included in the grant; and if there be no other way to it, the grantee may cross the land of the granter. If, again, a public road be found impassable, a traveller may leap the hedge and make himself a path. But he is not to do this for pleasure or convenience, to enjoy a wider prospect or avoid the mud; so long as there exists a road, however rugged or disagreeable, he must keep to it. Just so, the House of Commons, instead of exploring new tracts, must keep to the ancient ways of the constitution, which, as we shall presently show, have been rather widened than narrowed since the original constitution of parliament. It will not do to arrogate new functions, and then insist on unlimited authority, as essential to the 'proper' discharge of them. Sir Robert Peel lays great stress on Lord Coke's expression—'general inquisitors of the realm'—which is simply tantamount to terming the House of Commons a larger sort of grand jury or court leet; but surely he cannot mean to contend that the power in question is necessary to give effect to the proceedings of such tribunals. Yet, if he does not, of what avail is the analogy? We are confidently told, moreover, that the members are summoned to advise the king; and so are the members of the privy council, who might make the same claim, if Sir R. Peel's Latin quotation had any bearing on the point—

'The principle (he continues) contended for on the opposite side is—that though we may publish for the use of our own members, without liability to question; yet that we cannot, without incurring such liability, publish for the information of the community; above all, that we cannot authorise the publication by way of sale. If this distinction be well founded in point of theory, what practical security does it afford against the supposed abuse for which a remedy is sought? We may print, it seems, 658 copies of our proceedings, and distribute them among the members of the House of Commons. That will be a privileged communication. May the members who thus receive the papers printed for their instruction make any use of them? May they, if questioned by their constituents as to any particular vote, defend that vote by reference to the

* The Polignac Ministry, also, justified the ordinances of 1830, as coming within the 14th article of the charter, which authorizes the King 'to make rules and ordinances *necessary* for the execution of the laws and the safety of the state.'

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printed proceedings which caused the vote, and may possibly constitute its only justification? Will the disclosure to constituents of such cause and justification be also a privileged communication? If it will, where is the limit to the publicity? *If it will not, this consequence must follow—that a member cannot safely explain to his constituents the reason for the course he may have pursued, although he may have, in common with all other members, an ample vindication of that course in a document printed by the authority of this House.*'

The concluding topic is amplified and dwelt upon through several succeeding pages, in a tone of triumph, from which it is impossible to help inferring, that the speaker deems it perfectly decisive of the controversy; yet, taken in all its bearings, nothing proves more forcibly the real weakness of his case, than the being driven to rely on such an argument. 'That a member cannot safely explain to his constituents the reason for the course he may have pursued!' What then, is it come to this?—After indignantly repelling the bare notion of pledges, after exclaiming proudly and independently with Burke, 'A member of the British parliament is not a delegate'—the most accomplished and argumentative speaker of his day can find no better excuse for an alleged usurpation, than the occasional necessity under which a member may find himself, of removing the insulting distrust of his constituents! An elector of Tamworth writes to Sir Robert Peel, to ask why he voted for a new Prison Regulation Bill; he answers, that he did so, upon finding that the indulgences accorded to prisoners were abused, and that the free circulation of books and prints in prisons had done harm. Were the elector to write again and ask *what* books and prints—or, in the case of any other allegation of criminality, the names and detailed offences of the criminals—would Sir Robert condescend to answer him? or if he did, would it be for any other purpose than to say, 'I have voted to the best of my judgment and knowledge; if you cannot rely on my discretion or honesty, I am no longer fit for a representative?'

This is the manner in which, we are quite sure, Sir Robert himself and every other independent and high-spirited member would act on such an emergency; but were he willing to act otherwise, it by no means follows that his acquiescence in an unauthorised demand would render necessary an alteration in the law; for, if facility of explanation could ever lay the foundation of an argument, it might surely have been urged successfully to justify the publication of a speech. Yet, when Mr. Creevy published a corrected copy of a speech delivered in parliament, for the avowed purpose of removing the impression made by a garbled report, it was held that he could derive no protection from privilege.

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lege.* No attempt was made to impugn this decision at the time; and no wonder, for the House would have brought itself into a still more embarrassing dilemma than the present by questioning it.

Pursuing the same line of argument, the Committee contend that the public have a *right* to full information regarding the grounds of proceedings adopted by their representatives; but this right, at all events, has been uniformly met by a practical refutation of a kind which admits neither of evasion or mistake. Until past the middle of the last century the publication of the debates was prohibited, and the prohibition was rigidly enforced. When Dr. Johnson acted as reporter, he was obliged to resort to the expedient of feigned names. At this very hour there is a standing order against the admission of strangers, and any one member may exclude the public from all knowledge of what their representatives are doing, by enforcing it. So long as this standing order remains, we think it might be as well to say nothing about the imperative necessity, or even convenience, of an unreserved power of publishing. If the public have a right to every sort of information, the first thing needful is an act or order to legalize the printing of the debates. It is rather too much to insist on opening a new and roundabout description of way, whilst an older and more direct one remains locked up by order of the House; and it is surely somewhat paradoxical to maintain that publicity is essential to the due discharge of the functions of an assembly, which, from the earliest periods of its existence, has acted as if closed doors were the peculiar emblems of its dignity.

Passing over Sir Robert Peel's principal examples—the Bill of Exclusion, the Suspension of the Habeas Corpus Act, and the Regency Bill—which are not very happily chosen, since all the requisite information regarding these measures might surely have been collected without the power of general publication contended for—we come to an illustration which told with marked effect upon the House, where the *argumentum ad hominem* invariably appreciated:—

'Take a case that has actually occurred. When the present Lord Chief Justice of the Court of King's Bench was a member of this House of Commons, he felt it to be his duty to move for an inquiry into the conduct of Mr. Kenrick, a magistrate of the county of Surrey, and a judge of the principality of Wales. He charged Mr. Kenrick, "with having dishonoured his magisterial functions," and with the "guilt of partiality, violence, and malignity, in imprisoning an individual in some degree under his protection." Evidence was taken at the bar in sup-

* Maule and Selwyn's Reports, 272.

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port of these allegations;—evidence painful, no doubt, to the feelings of Mr. Kenrick. That evidence, and the petition preferring the complaint, were printed upon the motion of Mr. Denman (not for general circulation), and became matter of public notoriety throughout the whole country. Now, supposing a member of Parliament, having received his copy of these printed papers, had lent it to a friend, or to a constituent, for the purpose of justifying to that constituent his vote,—had thus given to it a publicity beyond that which was required for the use of members; will any one contend that it was competent to Mr. Kenrick to maintain an action for libel *against the printer* of the House of Commons? *If Mr. Kenrick could not, who can?* The charges against him implied conduct highly criminal; the evidence *ex parte* was very injurious to his character, and the result was tantamount to his acquittal, for no vote of censure was passed, still less was any proceeding adopted for his removal either from the judicial station or the commission of the peace. *Why was he debarred from redress?* Because in his case, as in others, the privilege of Parliament protected the presentation of the petition, the printing of that petition, of the other documents, of the accusatory evidence given at the bar; and it would have been thought preposterous if Mr. Kenrick, holding a public trust, and charged with the abuse of it, had sought redress from the Court of King's Bench against acts done or authorised by the House of Commons, in whatever manner they might acquire publicity.'

The members who cheered this illustration doubtless thought that they had got the Chief Justice into a dilemma. They were never more mistaken in their lives. The course pursued by him in his parliamentary capacity, is not in the remotest degree inconsistent with his conduct as a judge; and had the case come before himself, he might have decided against Mr. Kenrick's action in strict conformity with his recent declaration of the law. No one pretends to say that the printer would be liable for the mere printing of any number of copies ordered by the House; if a member made an undue use of his copy, an action might possibly be maintained against him individually, but clearly not against the officer of the House, unless he suffered himself to be made the direct instrument of circulation beyond the circle traced out by the law. As the petition and evidence under discussion were printed for the use of members exclusively, and no overleaping of the prescribed boundary is alleged, it is obvious that Mr. Kenrick had no ground of action against any one. The circumstance of his holding a public trust is perfectly immaterial. The cause of Sir Robert Peel's error is sufficiently obvious from the following remarks:—

'If the House of Commons may authorise a gratuitous distribution of a certain paper, may it not authorise the sale of it? Can it, in the eye of the law, make the slightest difference, in determining its legal character

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racter as libel or not libel, whether a report be printed at the public cost, and given away, or vended at a certain price covering part of the expense of publication? Surely, the protection depends upon a higher principle than any that is involved in these narrow distinctions between printing for the use of members, or distribution without sale, and distribution by means of sale. It depends upon that great principle which, in a narrower application of it, justifies the publication of proceedings in courts of justice, provided the report be an impartial and accurate report. Those proceedings may be detailed by unauthorised parties, may be sold for individual profit in term reports and in public newspapers. The consideration of public advantage in the publicity of judicial proceedings overrules the regard for private feelings and private interests. Can it be maintained, that the House of Commons is so much more restricted in its powers that it cannot protect its own servants in the authorised publication of its own proceedings, for the necessary information and satisfaction of the community?'—pp. 14, 15.

The distinction of which Sir Robert Peel speaks so slightingly is one of the foundation-stones of the English law of libel, and, on close examination, will be found in strict accordance with sound logic and good sense. The ground of all actions of libel is malice, which the law invariably refuses to infer, where the alleged slander is spoken or written for a legitimate purpose, and not circulated more widely than such purpose imperatively requires. Thus A. being surety for B. to C., it was held that A. was justified in informing C. that B. had been guilty of a fraud. Had the defendant (added Lord Ellenborough) gone to any other man and uttered these words of the plaintiff, they certainly would have been actionable. In the case of Lake and King, again, it was decided that the printing of a certain number of copies of a petition containing scandalous matter, might be justified, provided the delivery was limited to members of the committee authorized to decide upon it. We could fill pages with cases exemplifying this principle, but we have quoted enough to show that Lord Denman's is no new-fangled doctrine, and that there is nothing narrow or unreasonable in the distinction which he drew between the circulation required for the precise purposes of parliament, and the circulation exceeding what these purposes required—for this was the true distinction drawn by him; and Sir Robert Peel is quite right in assuming that the mere fact of sale makes no difference at all, except inasmuch as it affords the most decisive evidence of an unauthorized delivery. 'The great principle which justifies the publication of proceedings in courts of justice,' applies only to the *proceedings* of parliament, and the analogy may be easily turned against the argument it is intended to support. Suppose a judge, in his charge to a grand jury, were to exhort them to more than ordinary diligence in consequence of the disturbed state of the country;

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country; his statement is subsequently denied, and he publishes a pamphlet in support of it;—will any one contend that the pamphlet would be entitled to the same protection as the charge? In the same manner, to follow out the analogy—any resolution or report of the House, however false and calumnious, might be unimpeachable; but the House cannot protect statements prepared by strangers without making them, to all intents and purposes its own. It may, also, well be doubted whether the publication of evidence would in any case be covered by the privilege.

Before proceeding to discuss Sir Robert Peel's authorities, we must here turn for a moment to the thirty-eighth paragraph of the Report, where the cruelty of denying Parliament the privilege of authorising private slander is urged with an earnestness fast verging on the lachrymose. According to the writer of this paragraph, the Chief Justice's law is utterly fatal to the utility and independence of the House: the very groundwork of all sound legislation is ample and correct information with regard to all abuses and defects; and this information it is quite impossible to procure without the power of (not receiving and printing, but) circulating publications obnoxious to the law of libel, *i. e.* publications calculated to provoke breaches of the peace, or falsely and injuriously reflecting on individuals. Such is the proposition gravely propounded in a Report sanctioned by the signatures of some of the most distinguished statesmen and lawyers in the land. Common justice requires that we should add the example they adduce:—

'The Committee appointed in the year 1832 to investigate the condition of the slave population in the British colonies was under the absolute necessity, in order to perform the duty assigned to them, of receiving a large mass of evidence as to cases of alleged cruelty committed towards slaves; this evidence, there can be no doubt, would have been regarded, if published in an unauthorised form, as affording good grounds for actions or prosecutions for libel to the parties to whom cruelty was imputed; yet, if its circulation had been confined to members of the House, or if, in printing it, the names of those accused had been omitted, the object in view would not have been obtained. This object was to throw light on the effects of the institution of slavery, and to elicit from the conflicting statements of persons of opposite views and opinions, the real facts which were to guide the judgment of the House, and the *only* mode by which this could be accomplished, and by which any security could be obtained for the *correctness* of that information, upon which in the following year a most important Act of the Legislature was to be founded, was the publication of the evidence, in order that it might be subjected to the scrutiny of those who, if it were false, would be interested in disproving it; yet, according to the rule which has now been laid down,

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down, the publication of this evidence being sufficient to justify legal proceedings by the very numerous persons whom it inculpated, all the important national advantages to be derived from such publication must necessarily have been abandoned.'

The writer might as well have gone a step farther, and arrogated for the House the privilege of suspending the operation of the law of libel altogether during the discussion of any question of public interest, for every sort of check being thus removed, calumnies would circulate with much greater briskness, and (on the principle stated in the above paragraph) the correctness of the required information would be still more effectively secured. At the same time, a plain unsophisticated observer might have thought that the discussion of the slave question, as conducted by unprivileged controversialists, was free enough in all conscience, notwithstanding the alleged terrors of the law. The gentlemen who, under the banners of Messrs. Wilberforce and Fowell Buxton, formed themselves into associations for the avowed purpose of exciting public feeling against the slaveholders, did not wait for the sanction of Parliament to print their inculpatory resolutions and reports; and what with pamphlets, reviews, newspapers, popular meetings, and parliamentary debates, the general merits of the question and the leading facts on which the Legislature proceeded, would have been sufficiently known to the public, had the evidence in question been strictly limited to the House. The real truth is, parliamentary reports are intended rather to present a summary of any given discussion than to originate it; but assuming them to be the sole sources of information, the only effect of restricting the privilege will be, the compelling members and others who may think proper to assist in a more extended circulation of evidence collected for the House, to separate the well-authenticated from the apocryphal, and so make themselves answerable for nothing which they are not prepared to establish when called upon. This is the predicament in which every publisher of a newspaper is placed, and far from thinking it a hardship or a degradation, we are sure that the conductors of the periodical press derive no trifling portion of influence and respectability from the circumstance, since they themselves are the more careful to verify what they put forth, and their readers are the more disposed to confide in assertions made under a consciousness of liability.

There is one class of publications, however, on which this check has obviously no influence at all—we mean the parliamentary debates, which have been regularly published for more than half a century, subject to a twofold responsibility—to the respective Houses for the breach of privilege, and to the parties affected for any defamatory matter the speeches may contain. Thus, Lord Denman's

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Denman's speeches against Mr. Kenrick, if, as Sir Robert Peel alleges, the accusation was unfounded, must undoubtedly have exposed a host of editors, printers, and reporters to the chance of an action; for these speeches were all published at the time. Why, then, was Mr. Kenrick debarred? In the same manner every kind of valuable information collected for the use of members would be sure to find its way to the public; nay, so obviously slight is the risk, that we have no doubt whatever the privilege of reprinting all matters of interest, far from being shrunk from, would be scrambled for. A fair inference in favour of this supposition may be drawn from what took place on the appointment of the Committee on the Pension List. It was pretty certain that the inquiry must elicit a good deal of scandal, yet Mr. Whittle Harvey was excluded from the Committee because it was apprehended he would anticipate the publication of the evidence.

In considering the expediency of publishing evidence collected by the House of Commons, it should never be forgotten that the House cannot examine upon oath. If the plea of necessity or convenience went for anything, would the great inquisitors of the nation be still destitute of such a power?

So much for the arguments built on what is termed the reason of the thing. Far from establishing a case of necessity, they do not even establish a case of convenience, and if a bill were brought in to confer the privilege, we should say that it ought not to pass.

Sir Robert Peel thus introduces the consideration of the authorities:—

'I proceed to support the proofs derived from such considerations by the express declarations of the highest constitutional authorities, *specially applicable to the very point at issue*, and made under circumstances entitling them to peculiar weight. One example will suffice; for that example is so emphatic, and so conclusive, that it is needless to produce others.'—p. 15.

It happens rather unfortunately that neither of the two grand authorities cited by Sir Robert Peel *is* 'specially applicable to the point at issue,' for one relates to a parliamentary proceeding, and the other to a parliamentary report. The example, 'so emphatic that it is needless to produce others,' is the case of Sir William Williams, who, in his capacity of Speaker and by order of the House, had signed, and caused to be printed, the narrative of the well-known informer Dangerfield, charging the Duke of York with an accumulation of treasons and atrocities. For authorising this publication, Sir William Williams was prosecuted in the ensuing reign, and a heavy fine was imposed upon him by the King's Bench. This prosecution is said to have led to the insertion of the 9th article in the Bill of Rights: 'That the freedom

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dom of speech, and debates and *proceedings in parliament*, ought not to be impeached or questioned in any court or place out of parliament.' The debates and conferences directly or indirectly bearing on this article are minutely examined by Sir Robert Peel, Mr. Pemberton, Mr. Pickering, and the authors of the Report; but the intention of an enactment, according to the established rules of interpretation, must be collected from its own language, not from the language used when it was originally discussed; and were this otherwise, we should place no more faith in the opinions of party leaders at a period of high excitement,* than in those of servile judges under a monarch aiming at despotism. We therefore stick to the precise terms of the article, and since a document prepared by persons unconnected with the House, from whose views the majority might dissent, is not, in any sense of the word, a *proceeding in parliament*, we deny the application of the authority. If Mr. Stockdale had brought his action against the Speaker for signing the order, then indeed an analogy would arise; but the Speaker might be held harmless without reference to the nature of the publication, since his acts, as Speaker, might be deemed proceedings in parliament, though it by no means follows that all acts done by strangers at his instance, whether parliament be or be not sitting, will be such. The king can do no wrong, but persons acting illegally by his order are responsible.

The other case principally relied on is the King *v.* Wright:—

'The decision in that case,' says Sir Robert Peel, 'places the privilege on higher grounds than those for which I contend, and extends infinitely beyond the limits within which I confine the present argument. I refer to that case mainly on account of the principles laid down by the highest judicial authorities, which appear to me to be conclusive in favour of the position that I am maintaining.

'I will briefly advert to the particulars of that case. A Committee of Secrecy was appointed at a period of great public excitement, to consider and report upon certain documents laid before them for that purpose by the government. A bookseller of the name of Wright reprinted fully and accurately, but without any sanction or authority from the House of Commons, the report of the committee. It contained allegations against several persons, three of whom, Messrs. Hardy, Thelwall, and Horne Tooke, had been charged with high treason, and had been acquitted by a jury. Now, the presumption of the law clearly was, that they were entirely innocent of the charge, and had a right to all the benefit of acquittal. And yet the report of the committee of secrecy thus speaks of the parties:—"Some of the persons so arrested were

* The arbitrary and unjust course pursued towards the judges who decided the case of Jay and Topham (post 143) sufficiently indicates the temper of the House of Commons in 1689.

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prosecuted for high treason. Three of the persons so indicted were tried, and on their trials were acquitted of the charge in the indictment. But the evidence given on those trials established in the clearest manner that the views of those persons and their confederates were completely hostile to the existing government and constitution of this country, and went directly to the subversion of every established and legitimate authority."

'It was difficult to conceive a more aggravated case of libel, if the character of the publication were to be judged of upon ordinary grounds, and without any reference to the authority under which it was made.'

We fully admit the justice of the concluding remarks; but the case is, notwithstanding, decisive against the position Sir Robert Peel would found upon it, as clearly appears from the judgment of the court:—

'*Lord Kenyon.*—This report was first made by a committee of the House of Commons, then approved by the House at large, and then communicated to the other House, and it is now *sub judice;* and yet it is said that this is a libel on the prosecutor. It is impossible for us to admit that the proceedings of either of the Houses of Parliament is a libel, and yet that is to be taken as the foundation of this application. The case of Rex *v.* Sir William Williams, which was principally relied on, happened in the worst of times, *but that has no relation to the present case. There the publication was a paper of a private individual,* and under pretence of the sanction of the House of Commons, an individual published; *but this is a proceeding by one branch of the legislature,* and therefore we cannot inquire into it. I do not say that cases may not be put in which we would not inquire whether or not the House of Commons were justified in any particular measure; if, for instance, they were to send their serjeant-at-arms to arrest a counsel here who was arguing a case between two individuals, or to grant an injunction to stay the proceedings here in a common action, undoubtedly we should pay no attention to it. But the report in question, *being adopted by the House at large,* is a *proceeding* of those who, by the constitution, are the guardians of the liberties of the subject, and we cannot say that any part of that proceeding is a libel.'—7 *T. R.*, p. 293.

The distinction drawn by Lord Kenyon is the very distinction to which we called attention at the outset of our remarks. Mr. Justice Grose assented on the ground that the Report was a proceeding of one branch of the legislature; and Mr. Justice Lawrence, after dwelling at some length on the immunity enjoyed by the publishers of true accounts of proceedings in courts of justice, says:—

'The same reasons also apply to the *proceedings* in parliament: it is of advantage to the public, and even to the legislative bodies, that true accounts of their proceedings should be generally circulated, and they would be deprived of that advantage if no person could publish their proceedings without being punished as a libeller. *Though therefore the defendant*

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defendant was not authorised by the House of Commons to publish the report in question, yet, as he only published a true copy of it, I am of opinion that the rule ought to be discharged.'

On this Sir Robert Peel remarks:—

'Mr. Justice Lawrence, it will be seen, rested the claim to protection on higher and more extensive ground than that of the usage or any special privilege of parliament. He contended for the doctrine, that true accounts of proceedings in parliament and in courts of law were for the public advantage, and therefore entitled to protection.

'Mr. Justice Lawrence contended for the impunity of unauthorised parties who might, with a view to individual gain, publish the proceedings of courts of justice. If Mr. Justice Lawrence were right, *à fortiori* the authorised servant of the House of Commons must be entitled to protection.'—pp. 21, 22.

That this *à fortiori* argument is a *non sequitur*, every lawyer will instantly agree with us. The publication was privileged because it was a true report of the proceedings of a body standing on the same footing as a court; and, far from laying any stress on the authority of the House, Mr. Justice Lawrence calls particular attention to the fact that no such authority had been obtained. To assume, therefore, that the order of the House would confer an additional sanction, is begging the whole question.

The plain, undoubted effect of this case, then, is to put the proceedings of parliament on the same footing as the proceedings of courts of justice; and this makes it advisable to state that the protection accorded to the publishers of such proceedings is limited. In one case Lord Ellenborough and Mr. Justice Grose, and, in another, Lord Ellenborough and Mr. Justice Bayley, protested in the strongest terms against the doctrine that details or statements hurtful to individuals might be published to the world because they had been necessarily disclosed in a court. Lord Ellenborough (in Mr. Creevy's case) even went the length of doubting Lord Kenyon's decision in Wright's case:—

'I will not here wait to consider whether that [the Report reflecting on Horne Tooke] could be strictly called a proceeding in Parliament. What was printed for the use of members was certainly a privileged communication; but I am not prepared to say, that to circulate a copy of that which was published for the use of the members, if it contained matter of an injurious tendency to the character of an individual, was legitimate, and could not be made the subject of a prosecution.'

Surely a report of the House of Commons partakes more of the character of a preliminary or *ex parte* proceeding than of a judgment; and the preliminary or *ex parte* proceeding of a court is clearly not privileged. The analogy, therefore, on which Mr. Justice Lawrence dwells so emphatically, rather limits than extends the supposed immunity.

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Our last extract from Sir Robert Peel's Speech concludes his observations in support of the particular privilege at issue. In his peroration, indeed, he mentions 'long-continued usage;' but the evidence of such usage must be sought in the Report, where all sorts of arguments and statements are flung together in a heap, with the most sovereign indifference to their logical connexion, correctness, or applicability. An entire paragraph (26) is devoted to drawing sage conclusions in favour of publicity from an Act of 1802, by which the postage on votes and proceedings is reduced; and two paragraphs (24 and 25) to proving,—what nobody cares to deny,—that from 1691 the votes of the Commons have been regarded by the Lords in the light of authorized publications. In par. 35, it is broadly assumed to have been proved by the uniform practice of nearly two centuries, that injurious reflections contained in any publications ordered by parliament have *never*, up to the time of the recent trial, been regarded as affording ground for proceedings in a court of law; though we had just before (par. 32) been told that the only instances of such proceedings, prior to the same trial, were the prosecutions arising out of Dangerfield's narrative; and with a similar contempt for consistency, it is stated, in one place, that the practice of printing the votes and proceedings had continued without interruption since 1680, and in another, that two or three important interruptions had occurred. Mr. Pickering has collected various other instances of inconsistency, and some undeniable ones of unfairness. The Appendix, in particular, is sadly garbled. The summary of legal decisions is just such as an uncompromising counsel would present to an incompetent judge, whilst the list of reports and papers of a criminatory tendency is crowded with documents confessedly privileged, from the non-prosecution of which no inference can be drawn. Down to 1810 it appears to be exclusively composed of such; namely, of reports of the House itself, and none of the slanderous papers mentioned as printed since 1810, and prior to the order of 1835, could have been printed for sale, it being admitted, that, with respect to reports and miscellaneous papers (with which alone we have to deal) the sale to the public by the printer appears from the imprint on the papers (shown by Mr. Pickering to be a most fallacious test) to have continued beyond the middle of the last century, *and to have then ceased.** However, the attempt to found an inference in favour of the legality of the practice upon the impunity hitherto enjoyed by the publishers, would be futile, could the prescription be shown for the full period alleged in the Report. Ship-money

* Report, par. 21.

and

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and general warrants had been acquiesced in for a much longer period; and no one pretends to say that the publishers of the debates are protected, though the virtual impunity hitherto enjoyed by them is complete.

The practice of printing parliamentary papers (according to the Journals) began in 1641, and it is amusing to mark the simplicity with which the proofs of its being introduced with a view to general publication are adduced—

'This is shown by the subsequent proceedings of the House, with regard to the order for printing of 1641, above referred to, and by the appointment of a committee in the subsequent year (1642!) to consider, among other things, the best way of divulging, dispersing, and publishing the orders and votes, and also the declarations of the House, through the kingdom, and of the well and true printing of them.'

In the Appendix, we find amongst the first publications dispersed under the recommendations of this committee, *Declaration of Parliament for raising the Trained Bands, 13th August;* and *Propositions for raising Horse, 19th September;* with an imprimatur and endorsed order on the latter, stating that it was sold by Husbands (the Hansard of that day) at his shop. Here, therefore, to prove the rights of the Commons as a single branch of the legislature, are adduced their usurpations on the eve of a civil war, when they were on the point of arrogating the powers of the whole legislature to themselves.

Sir Robert Peel next applies himself with equal earnestness, and nearly similar success, to justifying the second and third resolutions, which would go far towards placing the House in the proud position of Jupiter:—

'Sic volo, sic jubeo, stet pro ratione voluntas.'

Sir Robert begins by stating that the judgments, not of the House of Commons, but of the Court of King's Bench, are decisive on this point, namely, that the House is the exclusive judge of its privileges, and, by a parity of reason, that it is a contempt for any court to contravene any parliamentary resolution relating to them. It is with real reluctance that we differ so frequently; but again, as it seems to us, Sir Robert has confounded decisions essentially distinct. The decisions he mentions are all cases of contempt, and the judgments he quotes uniformly treat the Houses of Parliament and the ordinary courts of justice as on a par:—

'All courts,' (says Mr. Justice Blackstone, as quoted by Sir Robert Peel,) 'by which I mean to include the two Houses of Parliament and the courts of Westminster Hall, can have no control in matters of contempt. The sole adjudication of contempts, and the punishment thereof in any manner, belong exclusively, and without interfering, to each

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each respective court. Infinite confusion and disorder would follow, if courts could by writ of Habeas Corpus examine and determine the contempts of others.'

The principle of these decisions is thus explained by Mr. Pemberton:—

'The doctrine of committal for contempt is founded, I apprehend, upon this principle:—Every court of justice must have the power of removing in a summary manner obstructions to its proceedings. If persons, by riot or violence in court, interrupt the course of justice, the judge must possess the right to remove the interruption by removing the offenders, or, in other words, ordering them into custody.

'*If this power draws after it the vast consequences claimed as deducible from it in the case of the House of Commons, it draws the same consequences in favour, not only of each of the superior courts of law and equity, but of the quarter sessions, and an infinity of inferior courts.* It is obvious, however, that this power decides nothing as to the legality of that authority, the contempt of which is thus punished. If any inferior court were to hold that, upon a particular subject, it had an exclusive jurisdiction, and were to treat it as a contempt in a suitor to appeal to the King's Bench, and were to commit him to prison for doing so, it is very clear that such a course would neither prove that the judges of the inferior court possessed the exclusive jurisdiction which they claimed, nor would stop the prosecution of the appeal, nor prevent the reversal of their decision. Yet, if the suitor were committed for a contempt of the court generally, and the nature of the contempt did not appear upon the order of commitment, it would be very difficult, upon a return to a writ of habeas corpus, to obtain relief, for the reasons already assigned. Just so is it with respect to the House of Commons—they may commit for contempt; they may call what they will a contempt; and, if they take care to suppress upon their warrant the cause of committal, the same reason, which operates to exclude relief in other cases, may exclude it in this. But it proves nothing whatever in favour of the legal existence of the privilege, the violation of which it thus declares and punishes.'

The result of the authorities is certainly as stated by Mr. Pemberton—that if the commitment be generally for contempt, none of the other courts can interfere; yet it is strange that the law which repudiated general warrants in one shape, should allow of them in another;* and we cordially agree with him, that those who are really anxious for the security of liberty, would be better employed in endeavouring to have this inordinate power restricted in courts of justice, than in extending it to a tribunal in which it is ten times more liable to abuse, and if abused, ten thousand times more dangerous. The judges are a small responsible body, little anxious for an extension of their powers; the Commons are

* There is extant an opinion of Sir Samuel Romilly throwing considerable doubt on the definitive character of such a commitment by the House of Lords.

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a large irresponsible body, constantly aiming at an extension of *theirs*.

Sir Robert Peel cites no authorities but what turn on this peculiar privilege of discretionary committal for contempt. The committee go farther, and cull examples, with their wonted felicity, from times when privilege was in hot contest with prerogative, and the judicial authority overawed by each of them in turns. Thus, we have a declaration of Henry VIII. (who on one occasion threatened to cut off the Speaker's head unless a particular bill were passed without delay), made rather in his own name as head of the three estates, and in support of his own dignity, than in vindication of the House of Commons, stated as one leading authority; and the retractation of Lord Chief Justice Pemberton and Sir T. Jones, when illegally brought before the House to answer for the strictly proper discharge of their judicial functions, gravely adduced as another. Their case, however, is too important to be passed by, and we must pause to quote Mr. Pemberton's account of it:—

'In the year 1679, when Oates and Dangerfield, and other such worthies, encouraged by the Commons, were maddening the nation with their monstrous fictions, Charles prorogued the Parliament. Shaftesbury, and the popular leaders, got up petitions to the king to assemble it. The royalists met them with counter addresses to the king, expressing their reliance on his wisdom, and their abhorrence of the practices of the petitioners; and the people were divided into *petitioners* and *abhorrers*. It should seem that either party had an equal right to express their opinion upon political affairs, but when the Parliament met, a majority of the Commons voted the proceedings of the abhorrers to be a breach of their privileges, and seized and committed to prison great numbers of them from all parts of England.'

'It appears that Topham (the worthy so honourably commemorated in 'Peveril of the Peak'), the officer employed by the House in these tyrannical proceedings, not only executed the orders of the House, but made their execution the source of a scandalous profit to himself. Amongst the victims was one Jay, whom he seized and detained in custody till he had paid him 30*l.* for his liberation. In 1682, Jay brought an action in the King's Bench against Topham, for trespass, assault, and false imprisonment, and *for detaining him in custody till he had paid the* 30*l.* To this declaration Topham pleaded that he had arrested the plaintiff under the Speaker's warrant, but did not attempt (as he could not) to justify under the warrant the extortion of the 30*l.* The warrant he pleaded in bar, not of the action, but of the jurisdiction of the court. To this plea there was a demurrer, and a joinder in demurrer.

'The case came before the Court of King's Bench, when Sir Francis Pemberton was chief justice, and Sir Thomas Jones one of the puisne judges. The plea was overruled upon technical grounds, which all men now

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now admit to be conclusive against its validity, and which do not in any manner impeach the authority of the Speaker's warrant. The case was not even argued, nor was any motion made in arrest of judgment. Yet in 1689 were these two judges summoned before the House of Commons, required to give their reasons for a judgment delivered seven years before, and finally committed to the custody of the serjeant-at-arms for pronouncing, in their judicial character, the only judgment which, as lawyers, it was possible for them to give.'

In the statement of this case in the Report (p. 25) everything which could lead to a conclusion in favour of the strict legality of the judgment is suppressed—not one word is said about the extortion; and the cringing admissions of the judges are quoted with as much confidence as if they had been giving judgment in their court. To whom did the committee intrust the collection of authorities?

Whilst relying on the above authorities, however, with some general expressions of Lord Coke, and the eternal case of Thorpe (which really proves nothing—the reference to the judges being at least as pregnant with conclusions as their refusal to decide), they make no mention of others more immediately in point. Thus they are silent as to the resolutions of the Long Parliament, couched in nearly the same terms as their own;* and we have looked in vain for the case of Edward Floyde, who, in 1621, was punished by the House of Commons for scoffing at the Elector and Electress Palatine; it being adjudged that, they being the son-in-law and daughter of the king, the head of the parliament, any reflections upon them were a breach of the undoubted privileges of the House. The sentence is thus reported:—

'1. Not to bear arms as a gentleman, nor be a competent witness in any court of justice.

'2. To ride with his face to the horse's tail, to stand on the pillory, and his ears nailed, &c.

'3. To be whipped at the cart's tail.

'4. To be fined in 5000*l.*

'5. To be perpetually imprisoned in Newgate.

'It was put to the question first, whether Floyde should be whipped or no—which some lords doubted to yield to, because he was a gentleman—yet it was agreed, *per plures*, that he shall be whipped. Then it was put to the question, whether Floyde's ears shall be nailed to the pillory, or no, and agreed, *per plures*, not to be nailed.'

* Clarendon gives the Long Parliament the credit of originating the claim: 'The punishing a person who has infringed a notorious privilege of parliament, is proper to the jurisdiction against which the contempt is..... But that their being judges of their privileges, should qualify them to make new privileges, or that their judgment should create them such, *was a doctrine never before now heard of*, &c.'—*Hist. of the Reb.*, vol. ii., b. 4. Mr. Hallam, also, speaks of it as wholly inadmissible.

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How would the calumniators of the King of Hanover like to find their ears depending on a vote of the Lords, who might take up the subject on the additional ground of his Majesty being a member of their House?—Even members were occasionally exposed to a somewhat distressing exercise of authority:

'In 1626, Mr. Moor was sent to the Tower *for speaking out of season*. Sir William Widdrington and Sir Herbert Price sent to the Tower for bringing in candles against the desire of the House.'—*Dwarris on Statutes*, p. 88.

If ancient precedents are to be revived and acted upon, a good many modern orators might speedily find themselves in the same predicament as Mr. Moor. Mr. Joseph Hume, for example, would pass most of his time between Westminster and the Tower.

But there is a series of precedents, within a comparatively recent period, which carry the jurisdiction of parliament to an extent far exceeding the claims of the Report, and these, also, are prudently suppressed. One of the most startling was thus mentioned by Lord Brougham in giving judgment in Mr. Long Wellesley's case:—

'In the year 1759, an action of trespass, for breaking and entering a fishery, was tried in the House of Commons, to the lasting opprobrium of parliamentary privilege—to the scandal and disgrace of the House of Parliament that tried it—and to the astonishment and alarm of all good men, whether lawyers or laymen. Admiral Griffin made complaint to the House, whereof he was a member, that three men, whose names were stated, had broken into and entered his fishery at Plymouth, had taken the fish therefrom, and destroyed the nets therein; and the House forthwith, instead of indignantly and in mockery of such a pretension, dismissing the charge, and censuring him who made it, ordered the defendants in the trespass, for so they must be called, to be committed into the custody of the Serjeant-at-Arms. They were committed into that custody accordingly—they were brought to the bar of the House of Commons—and there, on their knees, they confessed their fault; they promised never again to offend the Admiral by interfering with his alleged right of fishery; and upon this confession and promise, they were discharged on paying their fees. So that, by way of privilege, a trespass was actually tried by the plaintiff himself sitting in judgment against his adversary the defendant, and the Judge (for in this case the House and the complaining party must be considered as identical) was pleased to decide in his own favour.'

This is only one of a long series lasting from the Revolution to 1767, when Mr. Luttrell made a like complaint, and, after examining numerous witnesses, it was resolved:—

'That it is the opinion of this Committee, that Henry Fidler hath not by the instigation of Charles Bowyer Adderley, Esq., forcibly entered upon a fishery at Coton on the river Thame, the property of, and in the

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possession of Simon Luttrell, Esq., a Member of this House, *and taken fish thereout, in breach of the privilege of this House.*'

A variety of instances of the same sort of arbitrary interference with the ordinary course of law are enumerated by Mr. Pemberton. Picking a member's pocket has been held a breach of privilege, and a member's servant who had been '*committed to prison for getting a woman with child,*' claimed and was allowed his privilege. Since the recent alteration of the bastardy laws, perhaps this last description of immunity will be deemed hardly worth contending for.

We shall be told that the abuse of a right does not negative its existence, which we admit; but when the practice of the House of Commons is urged as unimpeachable, it is surely open to us to show that it has been of too wild, irregular, and extravagant a character to be followed as a precedent, or set up as an authority against the well-considered decisions we are about to quote.

'Except in the case of Benyon *v.* Evelyn,' (say the Committee) 'it is *nowhere stated* that a resolution of Parliament would not be conclusive upon a question of privilege, whether such question arose directly or incidentally.' This is one of the numerous assertions proving that it is quite impossible to place the least reliance in this Report.

'The cases, indeed' (says Mr. Pemberton), 'in which the claims of privilege have been brought into discussion and decided in Courts of Justice, are so very numerous, and of such familiar and daily occurrence, that most lawyers will probably suppose that the 69th paragraph of the Report, and the 2nd Resolution, must express a meaning beyond what the Committee of the House could possibly intend.'

We will mention a few.—In Donne *v.* Walsh, 12th Edw. IV., a plea of privilege was directly overruled by the Barons of the Exchequer, with the advice of the other Judges. In Cook's case, 1584, it was ordered that a deputation of Members, attended by their Serjeant, should wait upon the Chancellor to signify that Members were privileged from being served with subpœnas, and to require the discharge of Mr. Cook. They seem to have caught a Tartar, for the Chancellor's answer, as reported by the deputation, was:—

'That he thought the House had no such liberty of privilege by subpœnas as they pretended, neither would he allow of any precedents of the House committed unto them formerly used in that behalf, unless the House would also prove the same to have been likewise thereupon allowed and ratified also by the precedents in Chancery.'

In a cause (16 Car. II.) between the Duchess of Somerset and the Earl of Manchester, before the Delegates (consisting of the two Chief Justices, five puisne Judges, and other Commissioners), the following resolutions were agreed upon, in answer to the Earl's claim of privilege:— '2dly.

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'2dly. That when any question arises concerning privilege of Parliament, and comes legally and judicially before the King's Justices upon any case or trial in His Majesty's Courts, they are the proper Judges to allow or disallow it according to law, as in the cases of Walsh, Cosins, and others forecited, for being Judges in the principal case, they must by consequence be Judges of all consequences that attend it.

'4thly. That the Earl had not privilege for forty days before the Sessions of Parliament.

'5thly. That Judges were not bound to proceed in Courts of Justice according to the votes of either House (which votes were alterable or repealable by either), in cases of privilege, but according to the known laws and custom of the realm, their oaths and trusts.'

In Shirly and Fagg (1675), the House of Lords, in its judicial capacity, proceeded in direct defiance of sundry intemperate resolutions of the House of Commons, and to this day enjoys the jurisdiction in dispute—namely, the decision of appeals from the courts of equity, whether the parties be members of parliament or not.

In the King *v.* Knollys (1697), the judges decided in the teeth of a resolution of the House of Lords on a peerage-claim, and Lord Chief-Justice Holt was summoned to explain his reasons for the judgment to a committee appointed to report thereon to the House. He flatly refused to give them in so unjudicial a manner: 'at which answer some lords were so offended that they would have committed the Chief-Justice to the Tower; but, notwithstanding, all their endeavours vanished into smoke!' *

In Ashby and White, and Patey's case, Lord Holt protested in the strongest terms against the doctrine; † as on a subsequent occasion (1745), did Chief-Justice Willes.‡ In reference to the claim of privilege set up for Mr. Long Wellesley, in 1831, Lord Brougham stated, almost contemptuously, that he should steadily have pursued his own course despite of an unanimous resolution of the House; and in Mr. Lechmere Charlton's case, the present Lord Chancellor declined to take judicial cognizance of the Report of the Committee of Privileges. It thus appears that, so far from its being (with one exception) *nowhere* even *stated* that a resolution of Parliament would not be conclusive, &c., it has been so stated in all shapes, at all times, by all sorts of judges, in all descriptions of courts; and we are fortunately enabled to add that *the fifteen judges now upon the bench are unanimously of opinion that the resolutions are contrary to law.* It is worthy of remark that the superior judges of the United States are invested with the power of pronouncing a statute or act of Congress to be unconstitutional. This power, says M. de Tocqueville, forms

* Lord Raymond, 38.

† Lord C. J. Holt's judgments in these cases have recently been published from the original MS., with an introduction evidently by no common hand.

‡ Willes' Rep., 597.

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one of the most effective barriers that has ever been devised against the tyranny of political assemblies.

The extensive circulation of the pamphlets on the question, and a series of able articles in the 'Times,' clearly indicate that the people are beginning to shake off the apathy with which the first announcement of the resolutions was received—an apathy only to be accounted for on a principle strikingly illustrated by Burke: 'You are terrifying yourselves with ghosts and apparitions, whilst your house is the haunt of robbers. It is thus with all those, who, attending only to the shell and husk of history, think they are waging war with intolerance, pride, and cruelty, whilst under colour of abhorring the ill principles of antiquated parties, they are authorising and feeding the same odious vices in different factions, and perhaps in worse.' During the earlier periods of English history, the best exertions of our wisest statesmen were needed to check the encroachments of prerogative. All well-grounded apprehension from this quarter was at an end soon after the Revolution; but patriot writers and speakers still continued to make monarchy the grand object of attack, wholly unobservant of the steps making by certain powerful Whig families towards the establishment of an oligarchy. This new dominion received a decisive check from Mr. Pitt, when he called in the people to assist in the overthrow of the coalition ministry; and the rise of the monied interest, with the various other changes in society effected by the progress of civilization, had already deprived the higher classes of all the most invidious sources of their power, when the passing of the Reform Bill, which stripped property of its legitimate influence, laid them almost defenceless at the mercy of the mass. Yet the leaders of the popular party are as vehement as ever in their exhortations to us to be on our guard against the encroaching spirit of aristocracy; and the people at large, from mere force of habit, are still too apt to turn round, and permit their attention to be distracted, at the cry; though every thinking man must see that the dangers, present and to come, are of a widely different character from those which formed such fruitful sources of alarm, when the Crown was aiming at despotism or the nobles were banded against the Crown. It was then the lightning from above; it is now the earthquake from below. In a word, the excited passions of the populace, acting through the House of Commons, are the disturbing force by which the social system of this country is henceforward constantly liable to be jarred; and a plausible pretence for usurpation, a legalized instrument of tyranny, a ready mode of annoying or oppressing an opponent, will be never wanting to the faction of the hour, so long as these audacious assertions of privilege retain so much as the semblance of authority.

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It is mere trifling to say that the time for violence is gone by, when we know that not more than seven years ago the people were ready to rise against the House of Lords for protesting against the hurried adoption of a measure now generally regarded as one of very doubtful expediency; when we know, moreover, that we are governed by a set of ministers who, rather than give up the sweets of office, would willingly run the risk of setting the whole kingdom in a flame—as a pirate burns his vessel to prevent his plunder from being wrested from him. Mr. Pemberton gently insinuates that, though trespassers on fisheries may henceforth be abandoned to the ordinary tribunals, it is by no means equally clear that *abhorrers* will be safe; for what greater contempt can any man be guilty of, than that of questioning the sovereign will and pleasure of the majority? Nothing, again, is more likely than that the practice of printing petitions for general circulation should be employed for the purpose of libelling unpopular individuals, for which it was originally introduced;* and it is even possible to conceive a case in which another Dangerfield might slander another heir presumptive or a king, under the direct order and avowed patronage of the House.

It has been urged, that this implies a crisis in which the 'high roads are broken up, and the waters out,' when a new and troubled scene is opened, and the file affords no precedent,' or is overlooked or trampled upon if it does—and that a dominant faction will overleap the highest and broadest barrier that reason or authority can construct. Still, we cannot help thinking that it may be as well to throw the full responsibility of being the first to break through the forms of the Constitution on its adversaries: in times of civil commotion, an established rule of right is no bad breakwater; and if we *must* come to blows, we should certainly prefer having the strict law, as declared by its legitimate interpreters, upon our side. These are the principal reasons which have induced us to bestow so much pains on the controversy; and they will not, we trust, be without influence on those members of the Conservative party, to whom, very greatly to our regret, we find ourselves in this instance opposed.

* "Not only the present disposition of the nation ensured impunity to all libellers, *A new method of framing and dispersing Libels was invented by the leaders of popular discontent.* Petitions to Parliament were drawn, craving redress against particular grievances, and when a sufficient number of subscriptions were procured, the petitions were presented to the Commons, and immediately published. These petitions became secret bonds of association among the subscribers, and seemed to give undoubted sanction and authority to the complaints which they contained."—*Hume.*

ART.

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ART. VI.—*Diary illustrative of the Times of George IV., interspersed with original Letters from the late Queen Caroline, and from various other distinguished Persons.* 2 vols. 8vo. London. 1838.

IT is after considerable hesitation, and not without much reluctance, that we have resolved to give our readers some account of the most scandalous publication—we do not except those of Mrs. Manly, George Anne Bellamy, or Harriet Wilson—that has ever disgraced English, or, as far as we know, European literature: and, assuredly, if we thought that our mention of it would give it the slighest vogue, or increase, even by a single copy, its circulation, we should have gladly declined our present very disagreeable task; but we observe that it has been, and continues to be, so widely *puffed*, and such copious extracts of the least offensive parts have been so extensively circulated, that we are convinced we shall both check its sale and extenuate its mischief by explaining the real character of a work which—in spite of what the speculators in such trash may think the *piquant* qualities of personality, indelicacy, and malignity—is, on the whole, so overladen with vanity, affectation, bombast, nonsense, absurdity, and hypocrisy, as to be, in good sooth, one of the dullest as well as most contemptible productions we have ever toiled through.

But who is the writer? We grieve sincerely and deeply to say that it is avowed to be the work of a woman, and it is too clear that it must be of a woman of rank, if not of fashion; in short—for why should we hesitate to repeat what all the newspapers have stated without contradiction—of the *ci-devant* Lady Charlotte Campbell, now Lady Charlotte Bury—a lady hitherto known in the circulating-library literature of the day by some trivial publications, indicating no worse qualities, we are told, than those of silliness and affectation; and who had never been suspected of grave offences of any description? We heartily wish that our examination of the book, and our recollection of the events on which it touches, could justify us in throwing any doubt on the justice of this imputation: alas! they only confirm it—to absolute certainty:—never, indeed, could the old formula of conviction, *aut Erasmi au Diaboli*, be better applied—it is undubitably the production of *that Lady or the Devil.* We shall, however, endeavour in our observations on the work to forget as much as we can the name of the writer, and to deal with it merely as the production of a *Lady-in-Waiting* on the late Queen Caroline, when Princess of Wales.

The Lady seems to have been, from the outset, aware that the publication was one which it would not be reputable to avow, for

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for the diary and letters of which it is confusedly compounded have been elaborately falsified to conceal her sex, and, consequently, her identity. The Lady is transformed into a *Lord*. Such a personification could hardly be attempted by the cleverest impostor without exhibiting some rents and patches in the cloak; but here it is done with superlative *gaucherie* and most transparent absurdity. Sometimes a German Philander, when making a civil speech, '*takes the hand*' of the *soi-disant Lord*, '*and presses it*;' or, when talking to *him* of religion, says—'Vous êtes *Protestante*'—(vol. ii. p. 217); while a female correspondent addresses *his Lordship* as 'ma chere' (vol. ii. p. 130); and a gentle swain is made to talk this ludicrous stuff:—

'Yet to catch *your Lordship's* likeness would not be quite impossible, if I could rouse from his dull repose, Titian, to paint your head; Sir Peter Lely, *your neck*; Vandyke, your hands; and Rubens for the draperies and back-ground of the picture'—vol. i. p. 93;

with fifty other similar slips: indeed there is not a page in the volumes which would not prove that, if the writer were really a man, he must have been a *Siamese twin* to the Lady-in-Waiting. This seems, on a review of the volumes after they were printed, to have appeared to the concocters themselves too gross even for the most credulous public, and, accordingly, a clumsy advertisement is prefixed to say, that it seems

'to have been the intention of the editor who first undertook to prepare it for the press, to *disguise*—by assuming the *masculine* style in the Journal, and substituting the feigned for the *real* sex of the personage addressed in the Letters—the *evident* fact of the former having been written by a female, and of the latter being communications to one of the same sex.'

With this avowal, or, indeed, without it, any one who will take the superfluous trouble of looking into the details will be satisfied beyond all doubt, that the female in the masculine disguise can be no other than one of the Ladies-in-Waiting; and, as we have said, fifty other circumstances prove that this lady could be no other than Lady Charlotte Campbell.

We must also observe, as an additional characteristic of the tricky spirit in which the work has been concocted, that what is now presented as a *contemporaneous diary*, is, in some degree, of more recent manufacture; but as it is evident that it has been made up from original notes and letters, we do not question its veracity as to *facts* which the author professes to have seen, though we certainly doubt most of the *hearsay* anecdotes, and have not the slightest reliance on anything that is advanced as matter of opinion. We must premise one other important observation: we are satisfied that, although, perhaps, no fact is related concerning the

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the unhappy Princess of Wales which is not substantially true, a great many circumstances of the same class are left untold; as if the author had occasional compunctions, and sometimes endeavoured to make the best of the story—but a bad story it is at best.

It seems that the author, while in her turn of waiting, kept copious notes, and, when absent, maintained a pretty constant correspondence with some other persons of the Princess's household, in which are registered such details of her Royal Highness's private life as, we have no hesitation in saying, it was abominable treachery in a person in a confidential domestic situation even to have written; but for the *publication* of which—*and for money*—our language has no sufficient epithet of censure. But though the Princess is the chief object in this deplorable exposure, the Lady-in-Waiting spares no one who had the misfortune to fall in her way; and she carefully records all the chit-chat scandal and slanderous *on-dits*, not only of the day at which she affects to write (now near thirty years ago), but occasionally even of periods long antecedent and subsequent. Many of these ephemeral anecdotes we *know* to have been wholly false; others of them gross misrepresentations; and all are utterly worthless and without the least interest, except to the few survivors and to the friends and families of those that are departed, who may be pained by this most unexpected revival of forgotten imputations and antiquated personalities; and all this trash is worked up with such a tissue of maudlin sensibility and canting piety on the part of the narrator, as to heighten, or rather to deepen, the disgust which the original malevolence excites.

We shall certainly not quote anything that can give pain to the living, and as little as possible that can afflict the friends of the dead; but in order to show our readers the kind of trash which we warn them not to purchase, we must give them a few samples of this style of puritanical scandal—much more in the taste of *Mother Cole* than in that of a high-born Lady-in-Waiting.

The author visits at the house of a gentleman, who, having suffered some recent domestic afflictions, had the magnanimity and—what a visitor should have been grateful for—the good manners, not to obtrude his sorrows on his guests:—

'He never will allow, I am told, any person to mention the children he has had the misfortune to lose. Alas! poor man, he does not foresee that soon another will drop into the grave. *This wilful blindness to God's will is very awful.*'—vol. i. p. 48.

At the conclusion of a most cruel and uncalled-for anecdote, affecting many persons still living, and which is dragged forward without excuse or object, unless to inflict gratuitous pain, the author says:—

'People generally end this tragic tale by saying—"Poor ——, he was

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was a great fool." *It will be better at the Day of Judgment to be that great fool, than the woman who is dignified with the false epithet of clever.*'—vol. i. p. 179.

Out of *this woman's* own mouth comes her condemnation!

Again: after relating the untimely death of a beautiful young person, which, if true, it were cruel to recal to the memory of her parents, but which is, fortunately, an utter *falsehood*, it is added:—

'but that awful curse (one which, because no longer *spoken from the Mount* with thunderings and smoke, is unheeded)—"I will visit the sins of the fathers upon the children," was executed in this instance.'—vol. ii. p. 293.

And again, after a series of most disgraceful and, we believe, false imputations against a lady with whom she appears to have been on familiar and friendly terms, we have, in the very next sentence, and on the same page with all this supererogative slander, the following entry—

'Mr. Vivian preached a very affecting sermon, taking leave of his congregation. We, that is to say, almost all the English, *received the sacrament, and parted in peace.*'—vol. ii. p. 178.

And after telling, in the most malignant way, a story (which, also, we believe to be false) of a difference between two ladies of very secondary rank, she exclaims, as if she herself were a pattern of charity and propriety—

'Oh! women, women! great ladies of the land, have more mercy on one another.'—vol. ii. p. 118.

This is really too bad. We suppose our readers would be quite satisfied with these specimens of a style, compounded of *Mrs. Candour* and *Lady Kitty Crocodile*, but we must beg their patience for one or two samples of the *literary* merits of the author—the clear perceptions of her intellect, and the lucid eloquence of her style.

Sentimental thoughts on a gentleman who had not married his first love:—

'The finer particles of his nature, those evanescent emanations of spirit which are only cognizable to the very few, and which thrive not, unless under the influence of congenial feelings, are dried up and withered within himself; and I should think can hardly be called to life again by any living object—perhaps the very woman whom he first truly loved could no longer exercise that power over him which she once possessed, even were there no barriers to their reunion—the fair illusion which presented her all perfect to his fancy existed only, it may be, in his imagination:—when time withdrew that heavenly veil in which he had clothed her, here ended the romance, but not the longing after that which he was destined never to find. It is to be lamented that no wholesome resolve has sprung up in its place to recover the waste

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waste of life, the listless hours—the effeminacy—which too often succeeds to excitement: there are always honourable pursuits open to an aspiring mind, and there are realities in life which are worthy of the most noble and generous natures.'—vol. i. pp. 49, 50.

Pious reflections on greatness, human and divine:—

'Alas! alas! all public, like private greatness, rests its security on moral rectitude; and where that is deficient, the edifice is built on sand. No marvel, that those who are denominated *the vulgar* should be so taken by the bait of rank and greatness. Rank and greatness are in themselves truly admirable; real greatness, in its original and highest sense, is an attribute of the Divinity, and earthly grandeur is the visible sign by which it is presented to our senses. The misfortune is, that there is hardly such an image of the Divinity existing as true greatness.' —vol. i. p. 80.

Philosophical observations on the lately-discovered phenomenon of the fugacity of time:—

'The tide of time bears in its flux and reflux many things away, and brings in others to supply their place. Thus, as we glide down the current, this life sometimes resembles a bleak and dreary shore, at others, the beautiful margin of some bounded sea, fringed with wood, and clothed with luxuriant vegetation—but still 'tis but a shore whose varying aspect, as we drift along, reminds us that it is no fixed abode. But there is a land of promise beyond the horizon of time, where time itself will be as though it ne'er had been. As years fly swiftly away never to be recalled,' &c. &c.—vol. i. p. 56.

Our readers will see that all these splendid passages are imitated from Dean Swift's '*Tritical Essay on the Faculties of the Human Mind*;' and it will afford some idea of the pleasure and profit to be derived from the perusal of these volumes to add, that every line which is not either scandal or egotism is in the foregoing transcendental style.

But all this is 'merely leather or prunella' to bolster out to a sufficient size and volume the anecdotes of the poor Princess of Wales. One would have thought that her sad and shameful story might have been left in the recorded evidence of the proceedings in the House of Lords in 1820; and that at least it was not from the hand of a woman—a friend—a confidential and favoured servant—that we should have had a supplemental *green bag* opened against her, with charges and *proofs* of 'follies,' 'faults,' and '*vices*,' (anterior to, and unconnected with, the events which made the subject of the celebrated trial,) which even her enemies had not brought forward, but which—now that they are produced on the authority of a professed friend and confidante—must (if any doubt had before existed in any mind) afford the most damning proof that there was nothing alleged against her on the trial which her previous conduct does not show to have been not merely probable, but,

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but, from the force and growth of '*degrading*' habits, almost inevitable.

As the unhappy Queen herself, and all those who were more immediately interested in those deplorable proceedings, are no more, we should—if we believed that there was any one who still had any lingering doubt of her *manifold* guilt—have no hesitation, *as a matter of public history*, to detail and to comment upon the revelations of the Lady-in-Waiting; but that is not necessary, and we shall go no further into such painful subjects than may be requisite to validate our strong censure on the writer, and to do justice to those whom she ridicules or traduces, by proving, from her own showing, to how little respect her delicacy, her taste, or her judgment are entitled.

Indeed, nothing is more remarkable in the whole affair than the blind—we had almost said the *insane* inconsistency of the writer as regards not merely her own conduct, but that of everybody else: one half her book is at irreconcileable variance with the other; and what is particularly unfortunate for the writer's credit, there is hardly a suggestion or opinion (whether panegyrical or calumnious) which is not in the adjoining pages contradicted by inexorable *facts*. If an ordinary reader could have patience to collate and compare all this incoherent stuff, the book would be almost innocuous—the bane and antidote would be presented together; but as few persons will take that trouble, we feel it our duty to indicate a few of these contradictions by way of examples.

The name of George IV. is seldom mentioned without some severe reflections on his conduct to his wife—reflections which, if confined to the earlier days of their union, might perhaps have some show of justice, but which, when applied to the circumstances of which the Lady-in-Waiting complains—such as the Princess's not being received at court and in the Regent's society, nor intrusted with the care and conduct of her daughter from 1810 to 1814—are absolutely ridiculous, not only for reasons notorious to all the world, but from many points of the sentiments and conduct of the Princess, which her friend has now—for the first time, as far as we know—revealed to the world. What will our readers think of the following humane passages? In a note from her Royal Highness to the author, during a very—*to every one else—alarming* illness of the Prince Regent, about 1810-11, we find—

'The only astonishing news I can offer you is, that the Regent is *dangerously ill;* still *I* am not *sanguine enough to flatter* myself that the period to all my troubles and misfortunes is yet come—yet *one must hope for the best.*—Ever yours, C. P.'—vol. i. p. 22.

Again—

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Again—

'She [The Princess of Wales] is absolutely infatuated, she even talks of *marrying again*—but never *till she has tried the favoured mortal*, and made him pass five times through the fiery furnace of constancy and truth. .... *To kill the Regent*, then go abroad with a court of her own making, of which the *fiddler* [Sapio] *is to be king*, is her favourite plan. .... Writing these notes, though they are never to meet any eye but my own, seems to me unamiable, for I am more than ever overwhelmed with kindness.'—vol. i. pp. 172, 173.

And finally—

'After dinner her Royal Highness made a wax figure *as usual*, and *gave it an amiable addition of large horns;* then took three pins out of her garment and stuck them through and through, and put the figure to roast and melt at the fire.....Lady —— [the Author] says the Princess indulges in this amusement whenever there are no strangers at table; and she thinks her Royal Highness really has a superstitious belief that destroying this EFFIGY OF HER HUSBAND will bring to pass the *destruction of his royal person.*'—vol. i. p. 294.

We enter not into the question of who was most in fault in the *outset*—though this book affords several strong indications of extreme levity and impropriety on the part of the Princess, *before* and *in* the *very first days* of the marriage; but is it not clear that with a person afflicted with such *brutal insanity*—we cannot soften the terms—as the foregoing quotations exhibit, no man, however patient he might have been, could have lived?

Again; the Lady-in-Waiting is very indignant that the Regent should have put some restrictions on the intercourse between the Princess Charlotte and her mother, as if it were a mere spiteful and gratuitous insult to the latter—a piece of '*fiendish*' spite. Yet hear some of the facts on which the *fiendish* spite was grounded:—

'Miss E——, however, was on one occasion a useful friend to the Princess Charlotte, insomuch that it was through her means that a *silly correspondence*, into which the Princess Charlotte had entered with Captain ——, was delivered up and destroyed. *The Princess of Wales, on the contrary, behaved* VERY FOOLISHLY *in this business;* and it gave a handle to her enemies to represent to the Regent that she ought not to be allowed indiscriminate intercourse with her daughter. They took a *fiendish* pleasure in laying hold of this or any other plausible pretext to separate the Princess from her child.'—vol. i. p. 249.

The *extent* of the Princess of Wales's '*folly*' in this affair, the Lady-in-Waiting does not think fit to tell us; but surely no one of common sense or common decency would consider it censurable in any father of a girl of sixteen—above all, in the father of the heiress of the Crown—to interdict all communication with persons who encouraged his child in a clandestine correspondence with a man

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man who could never be her husband. But while the conduct of the father is thus censured, all the anger and alarm which he may have felt are more than justified even by the writer's own extraordinary statements :—

'The Princess [of Wales] came to me yesterday in a great bustle, as though she were "big with *the fate of Cato and of Rome.*" She had received another letter from her daughter :—such a character; such firmness; such determination! She was enchanted. The Prince had been with the Chancellor to Windsor, and, in presence of the [old] Queen, demanded what she [Princess Charlotte] meant by refusing to have a governess.'—vol. i. p. 186.

This was one branch of the complicated intrigues carried on to embarrass the Prince Regent. The young Princess was instigated to emancipate herself from all control, and to refuse to accept the Duchess of Leeds, who had been nominated her governess. The continuation of this extract will shadow out the black objects to which these intrigues were directed.

'She [Princess Charlotte] referred him entirely to her letter,—upon which the Queen and her father abused her, as being an obstinate, perverse, headstrong girl.—"Besides," said the Prince, "I know all that passed in Windsor Park; and if it were not for my clemency, I would have shut you up for life.—Depend upon it, as long as I live you shall never have an establishment, unless you marry."

'"Charlotte never spoke, or moved a muscle," said the Princess of Wales; "and the Prince and the Chancellor departed as they came, but "nothing could be more determined or immoveable than she was:—in "short, we must *frighten* the man into doing something, otherwise he will "do nothing; and if mother and daughter cannot do this, nothing can.—"On Sunday I shall send my letter—but I do not think gentle means "will ever avail.—If we were in past times———" and her Royal Highness looked quite fearful as she spoke!

'I know not what to reply, when she talks thus. What I think is most likely to ensue—and I fear 'tis what is *best*—is, that she will be set aside entirely as a *factious spirit, dangerous to the peace of the country.*

'Yet, after such a conversation as the above, her Royal Highness could begin squalling with S[apio], and forget her cares and vital interests, in the amusement of *frightening the air* with horrible sounds till past one in the morning!—'Tis wonderful!—

'After all, what right has the Princess Charlotte to disobey her father? Those persons who are never governed are not, surely, fit to govern others. I am agitated for the consequences of the intrigues that are going on. I am sincerely attached to the Princess Charlotte, but I shrink from being obliged to say, "very firm, and very fine," when I think, "very obstinate, and very wrong-headed."—*If she is without shame, or fear of God or man, at seventeen*, what is to become of her—of us?'—vol. i. p. 188.

Our

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Our readers must be astonished at such a character, from such a hand, of the mother and daughter, and will think that it alone would afford a full justification of much stricter measures than the royal husband and father did actually take. But what follows is still more revolting :—

'I believe there is more of the *woman* [*sic*] in her [the Princess Charlotte] than of the *queen*, and that she wants to get a look at another prince or two before she makes her choice of a husband.—Perhaps, also, she has still a third point in view, and that is, to play *off and on*, *marry no one, and love whom she may fancy, noble or common.* We may live to see strange things; yet, if I am not mistaken——.'—vol. i. pp. 311, 312.

We hope—we believe—we may almost venture to say that we know—that this atrocious insinuation, this vile, degrading estimate of the Princess Charlotte's character, is as calumnious as it is uncharitable and indecent; and in defence of departed innocence, whose memory will be always dear to English hearts, we shall deviate so far from the line which we had drawn for ourselves in the examination of this book, as to say that there were circumstances—darkly alluded to by the Lady-in-Waiting, and which therefore she must have known—which proved that the Princess Charlotte had a spirit of innate delicacy and rectitude, which enabled her to resist, at very peculiar and trying moments, the instigations of bad advice and corrupt example, and to defeat a profligate *conspiracy* against her happiness and *honour*. This we can with pleasure, so far as the character of Princess Charlotte is concerned—and it is the only pleasure our present task can give us—venture most confidently to assert.

But without entering further into such discussions, we cannot think that the Lady-in-Waiting, who from a close inspection had formed such an estimate of the Princess Charlotte's character, had—she least of all the world—any colour of excuse for characterizing as *fiendish* spite the circumspection of those who were responsible 'to God and man' for the purity of that young lady's conduct and character.

We shall now proceed to show that the Lady-in-Waiting herself had been, and was—*at the very time these discussions were going on*—a witness—a reluctant witness, we would willingly believe—of daily and nightly scenes in the Princess of Wales's familiar society, to the 'degrading' (it is her own word) influence of which it would have been really *fiendish* to expose any female—above all, the young and beautiful object of a nation's hopes and the future example and guardian of its morals and happiness.

Early in the Lady's waiting, or at least early in her narrative, it

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it appears that her Royal Highness the Princess of Wales, then residing at Kensington Palace, had taken

'a small cottage in the neighbourhood of Bayswater, where she could feel herself unshackled by all the restraints of royalty and etiquette; there she received *a set of persons wholly unfit* to be admitted to her society. It is true, that since the days of Mary of Scotland, (*when Rizzio sang in the Queen's closet,*) and in the old time before her, all royal persons have delighted in some small retired place or apartment, where they conceived themselves at liberty to cast off the cares of their high station, and descend from the pedestal of power and place to taste the sweets of private life. . . . . The Princess's foes were not backward at seizing upon this circumstance, and turning it (*as well they might*) to effect her downfall. As far as regards this world only, it is much more frequently imprudence than actual crime which finally hurls people to their destruction.'—vol. i. pp. 168, 169.

On this we must remark, that the cottage itself was nothing like a crime, as the great delicacy and false logic of the Lady-in-Waiting seem to imply—hardly even an imprudence. If her Royal Highness had contented herself with varying and enhancing, by a little change of scene, her *legitimate* amusements in her *proper* society, there would have been little to object; it could only be the *secret purposes* for which this cottage was hired and used that constituted the '*danger*' and '*disgrace*' of the affair. But it seems that the danger and disgrace, though not to be concealed from the conscience of the Lady-in-Waiting, did not prevent her—so censorious on other persons' conduct—from continuing to frequent the cottage, of whose strange history, or as much of it as the Lady confesses to, the following extracts will give some idea :—

'All the time that her Royal Highness was going on in this idle, unworthy manner, there existed a half-smothered compunction which made her wish to excuse her conduct, for none can entirely emancipate themselves from blame, when aware that it is merited; or remain ignorant of the sentence, which they deserve to have passed upon them by their fellow mortals. . . . . Sometimes I am enraged at myself for enduring to be in *their* society for a moment, much more so for laughing or seeming pleased; but I have the same sensation as if I was living with *mad people*, and really humour her as much as I would do them, for fear of the immediate consequences to myself. Yesterday, at dinner, before the servants, she told *the abominable*, that a hundred virgins had strewed flowers in the Duke of Brunswick's way, on his landing in Holland, &c. &c.'—vol. i. pp. 169, 170, 171.

The '*abominable*' appears by the context to have been the younger Sapio, sometimes called the '*fiddler*,' more frequently *Chanticleer*, already alluded to as *David Rizzio*, and indicated as the person who was to be the '*King*' of the Princess's new Court, when her husband

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husband should be, like Henry Darnley, *put out of the way*. The Princess's infatuation extended itself, as it afterwards did in Bergami's case, to the whole family of the '*abominable*' favourite.

'Mr. Gell talked of a gentleman who sings divinely, and who is very handsome and agreeable, and wished to be allowed to be presented to her Royal Highness; at which I saw the Princess quite furious,—a rival Squallini! mercy upon us—what should we do? how should we dare to listen to any other music than that of *the one par excellence?* In short nobody is to come into the house but Squallinis. She told me she *should sell all her plate, all her toilette ornaments given her by the king, everything, in short, which she could convert into money—for money she must have.*'—vol. i. pp. 171—2.

This money was—as is insinuated in this and a dozen other passages—to feed the rapaciousness of the Sapios; and all this shameful extravagance was going on at a time when a public outcry was made against the Regent and his ministers on account of the narrow income of the Princess, and during a series of intrigues (finally successful) to obtain her a larger revenue. One evening, after dining at Kensington Palace,

'the Princess set off with Lady —— [the Lady-in-Waiting] to go to the vile *Maison de Plaisance*, or rather *de Nuisance*. It consists of two damp holes, that have no other merit than being next to the S [apio] Kennel. I was shown all over, or *half over*, this *abominable place*. . . . . Lady —— [the real narrator] told me [the *pseudo* narrator] the Princess was not content with being *next door* to the Kennel, but she would go into it; and there she was introduced to a new brother and sister-in-law of the L——s'. . . . . After two hours of *music*, i. e. *charivari*, the Princess returned back again to the other *hole*, and supped *tête-à-tête* with Lady —— [the Lady-in-Waiting]; this, at least, was an appearance kept up; but Lady —— is terrified, for the Princess talked of sleeping at the "*cottage*." Her Royal Highness's servants are infuriated, and there is no saying *how long their fidelity may hold out.*'—vol. i. pp. 250, 251.

In spite of the confusion which is here made between the real and imaginary authors of the work, and the printer's mistake of L——s for S——s,—*Sapios*—it is quite clear that the 'abominable place,' '*the hole*,' the '*Trou-Madame*,' as it is elsewhere called, was a place to which no decent woman should have followed any mistress; but what renders all this revelation more curious, and we may almost add instructive, is to find that at the very time when these scandalous scenes were playing at *night*, the *days* were passed by her Royal Highness in receiving the addresses of the City of London, the County of Middlesex, and hundreds of other public bodies, on her injured and long persecuted, but now acknowledged and triumphant *innocence*. While she was spending her evenings in the '*Sapio kennel*,' her political advisers were penning letters

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letters to the Regent, which she signed and they published, with such sentiments as these:—

'To see myself cut off from one of the very few domestic enjoyments left me—certainly the only one upon which I set any value—the society of my child—involves me in such misery, as I well know your Royal Highness never could inflict upon me, if you were aware of its bitterness.' —vol. i. p. 213.

Well may the Lady-in-Waiting, who was behind the scenes, say, that it is scarcely possible to read this and similar letters, addressed at this period to the Regent, 'without laughing.'—(Vol. i. p. 210.)

The Houses of Parliament themselves, however, were astounded and *cowed* by this now ludicrous, but then fearful as well as lamentable mania. The following extracts from some letters to the Lady-in-Waiting bring back to our recollections what look like the absurd incongruities of a frightful dream:*—

'March 8th, 1813.—Pray express my most sincere congratulations on the *triumph*, the *complete triumph*, the Princess has so justly obtained. What passed on Friday night in the House of Commons made me, I confess, feel proud of my country. . . . .

'I could not, without subjecting myself to much pain, withhold expressing the enthusiastic joy which the perusal of this day's papers has produced. Will Lady ——— gratify the feelings of a stranger by conveying to her Royal Highness the Princess of Wales the warm congratulations of an affectionate heart on the *glorious victory* recently obtained. . . . . Yes, revered and highly-beloved Princess, the nation has long felt your wrongs and wished for redress; power and undue influence forbade it, until that impressive address obliged a public avowal of your innocence.'—vol. i. pp. 227, 229.

In the midst of all this, the Lady-in-Waiting—to whom these letters were directed—the Lady-in-Waiting who stood by the Princess's side when she received these addresses—owns that she felt the anger she at first conceived against those who did not take up her Royal Highness's cause, to be fast vanishing away.

'The reason of this lies in my unhappy knowledge of the *dessous des cartes*, a knowledge more likely to increase than to diminish, for the *poor Princess is* GOING ON HEADLONG TO HER RUIN. *Every day she becomes more imprudent in her conduct, more heedless of propriety* and the respect she owes to herself. The society she is now surrounded by is *disgraceful*.'—vol. i. p. 250.

And then follows the account of one of the night visits to the 'abominable place.'

But notwithstanding all this grimace of delicacy, and a vast deal of puling palaver about honour, conscience, virtue, duty, and

* It is scarcely necessary to observe that the authoress must have printed *many* of the private letters to herself, included in these volumes, without consulting the writers of them. We happen to *know* that such has been the case in some instances. *Eheu!*

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so forth—which we spare our readers—we find that, the Lady-in-Waiting continued to act in that capacity, though no hint is given that the dangerous and disgraceful conduct of her mistress had been in any degree improved. Nay, we find that, having had the good fortune to escape for a time from the Princess's society, by visiting the continent—immediately prior to her Royal Highness's celebrated *Italian campaign*—the Lady-in-Waiting was so imprudent, or so indifferent to all those feelings which she is so fond of preaching about, that she rejoined her in Italy, at a time when the last lingering portion of her English establishment had been forced, avowedly by her ostentatious misconduct, to abandon her—and when it is clear that the Diarist must have *known* that the new, yet already scandalous, ascendancy of the courier Bergami had become a subject of severe observation. On Friday, the 5th of April, 1815, our authoress resumed her waiting, at Genoa, and within four days after, on the 9th, we find the following entry in the Diary:—

'I have never yet been able to detect any impropriety of manner, or even familiarity, towards *the courier* YET, *but I live in fear every moment of having the horrid stories confirmed before my eyes.* I should far rather go on doubting than be convinced of their truth. *The rascal*—for such I am sure he is in the way of cheating her Royal Highness—*is very handsome.* I have never hitherto observed anything with regard to him, AS I DID WITH THE SINGERS.'—vol. ii, pp. 208, 209.

Beyond this we find no mention whatsoever of the 'handsome rascal;'—and the succeeding pages getin to such a *mess* of diary and letters, such a confusion of places and dates, as to be utterly unintelligible; nor can we make out from it how long the Lady continued in waiting, nor to what degree she was doomed to witness the *confirmation of the horrid stories;* but we find, in a series of letters subjoined to the second volume, and which we are told were *intended for publication,* (which the bulk of the volumes, it is asserted, were not,) that the author—in venturing a most extraordinary attempt to extenuate the Queen's 'delinquency'—makes a couple of admissions which, considering the quarter whence they come, seem tolerably decisive of the whole question:

'You see *I do not doubt that Bergami* SLEPT *in the tent* WITH *her Majesty;* but I contend, if he were there for a guilty purpose, he would not have committed actions to draw attention to his being there.'—vol. ii. p. 350.

As if such a *rascal* would not be vain of such an intrigue! And again—

'For my part, I can discover nothing very heinous in her being *attended in the bath by Bergami.* It should be recollected, though that was not *observed*, that she *would be in a bathing-dress.*'—vol. ii. pp. 350, 351.

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Would be in a bathing-dress! We suppose the Lady-in-Waiting is prevented from speaking with more assurance on this point, from recollecting that she elsewhere tells us that her mistress had exhibited herself, at a fancy ball, *dressed, or rather, to her Ladyship's horror,* UNDRESSED, *en* VENUS. (vol. ii. p. 85.) At all events, we are not much surprised that such a *defence* of the Queen, by her Lady-in-Waiting, was suppressed by her male advisers—even Alderman Wood had wisdom enough for that. Its appearance, even now, would have exceedingly astonished us if we had not been prepared, by the preceding pages, for any aberration of judgment on the part of the Lady-in-Waiting.

There are two other passages of these letters, which, as they regard the personal authority of so censorious a critic, it is proper to notice.

The noble Diarist confesses that she was not only in familiar intercourse with the notorious Mary Anne Clarke after her public exposure, but that she had—somehow, and for some purpose which is not stated—cheated that egregious cheat:—

'You remember, I dare say, my amusing intercourse with the old *chere amie* of the Duke, Mrs. Clarke, and how I *wheedled her to show me all her papers.*'—vol. ii. p. 335.

And again—

'Now what I am going to tell is not for the *scrupulous* ears of your immaculate, worthy, straitlaced aunt, Miss Deborah. It respects the *Queen's conduct prior to her marriage*, and my informant is the once-noted Mrs. Mary Anne Clarke, whose informant, as she said, was the Duke of York. You are aware how I *wheedled* her to show me *the notes she had prepared for her own memoirs.*'—vol. ii. p. 404.

We suppose we need not add a syllable to convince our readers, and even to satisfy the parties assailed, that the censures of a person who could a second time accompany her mistress to an *abominable place*—who could sit waiting for hours, and alone, while the mistress was '*disgracing herself*' in some other apartment of the 'haunt'—who could, after all this, rejoin her mistress when every one else was leaving her—who could see nothing guilty in a courier *sleeping with* her Royal Highness in a tent, nor anything very heinous in his having attended her *in a bath*, because 'it should be recollected, though it was not *observed*, that she *would be* in a bathing-dress'—and finally, who sought the confidence of Mrs. Clarke after the exposure of her profligacy, and who even *wheedled* that unfortunate creature out of her secrets—we say that we may safely presume that the *censures* of such a person on questions of morals or conduct are the only favours she could confer.

Bad as all this is, there is something behind, if possible, more

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revolting. When the Lady-in-Waiting rejoined the Princess at Genoa it is stated that—

'She [the Princess of Wales] has heaped benefits on Lady C. C——, and sent her a thousand ducats in hard cash as soon as she arrived. Lady C. told me this, and spoke with gratitude and affection towards our poor mistress, though she confessed that it was painful to owe gratitude where esteem could not cancel the debt.'—vol. ii. p. 198.

And before this, in the midst of the Sapio intrigue, she had said—

'*Writing* these notes, though they are never to meet any eye but my own, seems to me unamiable, for I am more than ever overwhelmed with kindness.'—vol. i. p. 173.

Unamiable, forsooth!—but if the *writing* them was unamiable, what is the *publishing* them—publishing such stories,—if false, atrocious,—if *true,* ten times worse,—of one's benefactress—and all for

One Thousand Pounds!

which Mr. Colburn, the publisher, professes to have paid for the work. 'Si quid *nostra* carmina possunt,' he will have made a bad bargain—but in any event the authoress will find that she has made a ruinous one.

The result of the whole is, that we have no doubt that the unhappy Princess was really insane *—and it would be consolatory to have even the same melancholy excuse for the Lady-in-Waiting.

ART. VII.—1. *Albrechts von Wallenstein des Herzogs von Friedland und Mecklenburgh, ungedruckte, eigenhändige, vertrauliche Briefe und amtliche Schreiben aus den Jahren* 1627, *bis* 1634, *an Arnheim, Aldringer, Gallas, Piccolomini, und andere Fürsten und Feldherrn seiner Zeit: mit einer Charakteristik des Lebens und der Feldzüge Wallensteins: herausgegeben von Friedrich Förster.* Berlin, 1828.

(*Letters and Biography of Albert von Wallenstein, Duke of Friedland and Mecklenburgh. Comprising autograph and confidential letters, and official correspondence hitherto unpublished from* 1627 *to* 1634, *addressed to Arnheim, Aldringer, Gallas, Piccolomini, and other contemporary Princes and Commanders.* Edited by F. Forster. 2 vols. 8vo.)

2. *Wallenstein als regierender Herzog und Landesherr, von Friedrich Förster. Art. I. Raumer's Historiches Taschenbuch.* 1837. Leipzig.

(*Wallenstein, as Reigning Sovereign and Landed Proprietor.*

* There are some contradictory anecdotes given concerning the celebrated William Austen, which are far from clearing up the mystery of his birth: one only, however, is worth mentioning—that he 'was lately in a *mad-house.*' (vol. ii. p. 77.)

By

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By Friedrich Forster. Published in Raumer's Historical Pocket Book for 1837. 12mo.)

3. *The Life of Wallenstein, Duke of Friedland.* By Lieutenant Colonel Mitchell. 8vo. London. 1837.

FEW of those who love to loiter in the picture-gallery of history, 'amid the painted forms of other times,' but have felt their march arrested and their attention charmed by two great figures in the compartment of the seventeenth century, Gustavus Adolphus and Wallenstein. There is in the former a simple sublimity—a diffused and holy lustre—which sets criticism at defiance, and the glory of the saint is distinguishable around the casque of the Protestant warrior. There is a gloom in the grandeur of the other,—a shadow of pride, and passion, and evil destiny,—which pains while it fascinates; yet, turning from both or either, we may wander with quickened step and unobservant eye 'through rows of warriors and through ranks of kings,' an host of crowned and helmeted and peruked nonentities, before we look on the like of either again.

Of the works now enumerated, those from the German press had engaged our attention before that of Colonel Mitchell had been announced for publication, and as we could hardly hope that the former would be communicated to the English public in the shape of translation, we were subsequently the more satisfied to find that they had furnished materials for one who, as a soldier and a linguist, was well qualified for the task of Wallenstein's biography.

From the hitherto unedited documents communicated in his own volumes of 1828, collated with others before extant, Mr. Forster has undertaken to relieve the memory of Wallenstein from the heavy imputations by which the court of Vienna endeavoured to justify his assassination, and which the historian and the dramatist have joined in accumulating upon his name. The act of accusation, supported by advocates so numerous and so various, has been for two centuries unanswered before the tribunal of Europe. We cannot, however, think that the labours of either the civilian or the soldier, in their vocation of awarding tardy justice to a great and injured man, have been bestowed in vain. It seldom happens that the minuter researches of posterity tend otherwise than to detract from the lustre of popular reputations; still seldomer that we can lift a corner of the veil from the personal and private dealings of the authors of mighty achievements, without displaying the littleness of the instruments used by Providence for great purposes. Wise and humble men will draw moral and religious conclusions from the exposure which they must lament; but it is not to folly alone that the martyrdom of fame is dear, and

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and profligacy loves to see the warrior and the sage degraded to its own level of sensuality or corruption. It is something gained to the cause of virtue and the strength of good example, to find some spots of verdure between the Dans and Beershebas of modern historical geography,—to find civil and military greatness united in a character which gains by every investigation into its qualities; and such, after the perusal of the works before us, we pronounce the character of the Friedlander, whose epitaph has been hitherto written either by his assassins, or by men who should have paused before they followed implicitly in the track of his interested accusers. The satellites of a court which paid the price of his blood, on whom the task devolved of justifying his murder, were not likely to be candid in its execution; and proofs of their distortion and misrepresentation of facts abound in Mr. Forster's volumes. Still that Cæsar was ambitious, the Antony who now recites his funeral oration cannot deny:—that he was altogether a placid subject for the exercise of court intrigues, the arts of the civilian and the Jesuit, the Spanish diplomatist, and Italian mercenary, who worried their noble prey to his end, his admirers can hardly assert. It is not wonderful that at this distance of time the question should remain unsolved as to how far ambition lured or injury goaded their victim into any positive though tardy betrayal of his trust—or into any of those schemes of undue personal advancement which have been so lavishly imputed to him. On the most specious of these accusations we have little hesitation in passing the verdict of *not proven*, while we leave others to the infamy of their own palpable falsehood.

It may be well to remark that, though Schiller, throughout his brilliant but unequal narrative, seems to admit, with little question, the series of charges against Wallenstein, the concluding passage of his fourth book is strangely inconsistent with all that precedes it. Mr. Forster quotes, in his Preface, p. xv., from Schiller, the expressions 'perjured traitor and death-worthy criminal,'* which we have no doubt he somewhere uses, though we have failed to hit on the passage which contains them. After a detail of crimination which would go far to justify such expressions, it is strange to find him summing up in these words:—

'It must, after all, in justice be admitted that the pens which have handed down the history of this extraordinary man are not those of truth; that the treason of Wallenstein and his project for attaining the crown of Bohemia rest, not on acts strictly proved, but merely on probable conjectures. No document has yet been discovered which has displayed the secret springs of his conduct so as to merit the confidence of history; and among his actions, publicly known and accredited, there is none

* 'Meineidigen verräther und todeswürdigen verbrecher.'

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which in the main might not have proceeded from a guiltless source. Many of his most vilified proceedings prove nothing more than his earnest disposition towards a peace. Most of the others are cleared up and excused by a justifiable mistrust of the emperor, and a pardonable anxiety for the maintenance of his own importance. It is true that his conduct towards the Elector of Bavaria exhibits an unworthy spirit of revenge and an unappeasable temper; but no one of his actions justifies us in considering him as convicted of treason. If necessity and despair finally drove him to deserve the sentence passed upon him when yet innocent, this cannot suffice for the justification of that sentence: in this case Wallenstein fell, not because he was a rebel, but he rebelled because he fell. It was his misfortune in life to have made an enemy of a victorious party,—in death, that this enemy survived to write his history.'—*Schiller's History of the Thirty Years' War. Conclusion of Fourth Book.*

The mass of the original correspondence in Mr. Forster's volumes emanates from the archives of Boitzenburgh, now in the possession of the Counts of Arnheim, lineal descendants of Hans George Von Arnheim, a man whose talents both for war and diplomacy made him conspicuous even at a period so fertile in great reputations as that of the thirty years' war. We find him, at the commencement of 1627, serving as second in command under Wallenstein, and we trace, through a correspondence continued with little interruption to the summer of 1629, proofs of the unlimited confidence which his chief reposed in him. Arnheim's transference of his services at this period to the Saxon wrought a total change in his relations to Wallenstein, and their correspondence is only occasionally renewed in the shape of negotiation between rival commanders. This change appears, however, in no respect to have diminished the mutual esteem which had grown out of their former intimacy, and their intercourse was among the grounds of accusation subsequently preferred against Wallenstein, and, as we think, among the most unjust of them. In addition to the principal mass of correspondence, hitherto unpublished, these volumes contain much information, extracted from the archives of Vienna and other sources, which, with the comments of the editor, bear upon many principal events of the time; among others, the discrepant statements respecting the death of Gustavus, and the proceedings against Wallenstein's surviving associates. The editor's own portion of the work consists in a biographical and historical account of his hero, which, after attending him from his birth to the period when the correspondence commences, forms a commentary on the latter, and is closed by a biography of Arnheim. Colonel Mitchell has profited by a subsequent work of Mr. Forster's, a life of Wallenstein, which we have failed to obtain; in which we learn, however, he has corrected

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corrected divers errors which have obtained popularity respecting the earlier career of Wallenstein, and which had found a place in the volumes of 1828.

The smaller treatise, published in Raumer's Annual, is curiously illustrative of the man and the manners of the time, and perhaps more entertaining than the graver materials for historical disquisition contained in the larger work.

After having devoted our attention to these German publications, we were pleased to find that our conclusions on the main points at issue were in accordance with those of Colonel Mitchell. That author has endeavoured to compress into one volume a general view of the war, together with the biography which forms the attractive title to his work. His qualifications for his task are considerable. To a profession which makes his subject a congenial one, he unites, we believe, an intimate acqaintance with the language, the people, and the topography of the great theatre of the achievements he records. With these appliances he has produced a book, in our judgment, of sterling merit, bearing evidence of the cultivation of that valuable and often neglected material, a soldier's leisure, and which can scarcely be perused without communicating to its reader the author's enthusiasm on behalf of his hero. The Colonel has resisted with determination all temptation to prolixity or diffuseness of extract, and has shown skill and good taste in the condensation of his materials.

It would be difficult to find in modern history, previous to the French revolution, a parallel to the rapid elevation of 'Albert Wenzel Eusebius von Waldstein, born at the castle of Hermanie in 1583.' It is true that he started with the advantages of noble birth and the education of a gentleman, which the heroes of revolutionized France were able to dispense with in their progress to fieldmarshalships and thrones. In virtue, however, of the Bohemian law of inheritance, Albert's father had shared the family possessions with thirteen brothers, and in his own case the estate was further frittered down through two brothers and three sisters. Like the Soults and Murats, however, he was throwu upon times when wealth as well as fame was the reward of military exploit—to those at least who chose the stronger side in the great religious struggle which, commencing in Bohemia at the period of his adolescence, rapidly drew the rest of Germany into its bloody vortex.

We have said that Mr. Forster's most recent researches have disproved some of the popular anecdotes of Wallenstein's early life. Among these are the stories of his turbulence at the Altdorf College—one of which has been popularized by the dramatic pen of Schiller—and the Jesuits' version of his conversion

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sion to Romanism. These being dismissed from the record, we must be content to remain in ignorance of any early peculiarities or indications of his future character, and to ascribe his departure from the faith of his Protestant parents to causes more probable than a fall from a window, which may but too easily be found in the worldly advantages likely to be derived from his adoption of a dominant religion. We know, however, that the talents destined to play so conspicuous a part in war and politics were previously matured by travel and study. He was attended in his peregrinations through France, Italy, Spain, and the Netherlands, by Paulus Virdingus, a correspondent of Kepler, who probably first directed his attention to those astrological studies, which, like the wizard namesake of Sir Walter Scott, he pursued 'in Padua far beyond the sea,' under Argoli, a professor of reputation in that pretended science. It would perhaps be difficult to find among the great men of that day an exception to its votaries—even among those who rejected not only the evidence of revealed, but of natural religion.

Wallenstein's first military service was performed under Rodolph, King of Hungary, against the Turks, in 1606. On the peace which took place in that year he returned to Bohemia, to enter on his small inheritance, and shortly to increase it by a marriage of prudence with an elderly and widowed heiress, Lucretia Nikessin von Landeck, who, at her death, in 1614, left him rich possessions in Moravia, and a considerable personalty. The cultivation of these resources appears for some years to have distracted his attention from the opportunities for military advancement, which the troubles of the time and the fraternal feuds between the Emperor Matthias and Rodolph might have afforded him. It is not till the year 1617 that we find him again in arms, at the head of two hundred cavalry, raised by himself, for the service of the Archduke Ferdinand of Styria against the Venetians. The campaign was insignificant, but the siege of Gradisca afforded the young leader some opportunities of distinction under the eye of Ferdinand, the future Emperor, and thus laid the foundation of his relations to that Sovereign. His appointment to a military command in Olmutz, and his second marriage to the daughter of a favourite of Ferdinand, the Count Harrach, soon followed. The religious contest in Bohemia now assumed a character which could no longer have permitted one less interested than Wallenstein in the fortunes of that country to remain a mere observer of its progress. If we may judge of Wallenstein by the whole tenor of the correspondence before us and of his conduct, no Romanist of his age was less fitted than himself to become a persecutor. No passage, indeed, of his life

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or writings indicates fanaticism, or even strong personal opinion on any doctrinal question, while many argue enlarged and liberal views as to matters of conscience; but it would have required the zeal of a Zisca to have emancipated him from the influence of ambition and obligation which at this period bound him to the service of the Emperor and Popery; his lot was cast with the oppressor and the bigot, and his sword thrown into the balance against his countrymen struggling for religious freedom. It is not true, indeed, that he assisted at the battle of the White Mountain, which, in 1620, sealed the fate of Protestantism and liberty in Bohemia—but he did good service on the Danube against the Hungarian allies of the revolted Bohemians; and in 1622 received from the Emperor Ferdinand the brilliant guerdon of the Dukedom of Friedland. Not less substantial, indeed, than brilliant was his reward, for the favour of the Emperor, the assistance of his father-in-law, and the means accumulated by his first marriage, enabled him to purchase, at half their value, a share of the confiscated Protestant estates, such as made his wealth more than adequate to his title, and enabled him to appear, in 1625, in the Emperor's service, and in the battle-field of Northern Germany, at the head of 60,000 men, raised by the influence of his name, and equipped and maintained by advances from his own purse!

The items of these purchases are specified in Mr. Forster's minor work. The Duke's landed possessions in 1623 are estimated by him at some twenty millions of florins in value, or about two millions sterling. The ducal territory of Friedland alone contained nine towns and fifty-seven villages and castles. To this were afterwards added the principalities of Sagan and Grossglogau, and, for a time at least, Mecklenburgh. The affairs of all these extensive possessions were administered with the utmost vigilance and accuracy of account, and the care with which he cultivated his resources was equal to the profuse liberality with which he applied them to elevating the fabric of his own greatness.

The campaign of 1626, opening with the destruction of Mansfield's army at Dessau, was further distinguished by the expulsion of that persevering but luckless adventurer from Germany, who, followed into Hungary by Wallenstein and deserted by Bethlem Gabor, ended his singular career in a Dalmatian village. During Wallenstein's absence in his pursuit, the Protestant confederates rallied in Silesia under Bernard of Saxe Weimar, and it was not till June of the following year that Wallenstein, whose winter quarters had been established on the Danube, mustered his forces at Prague with the immediate object of recovering Silesia. It is in January of this year, 1627, that the correspondence with Arnheim,

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Arnheim, now published, commences. The first letter of the series, dated Prague, January 17, confers a vacant regiment on that officer, and its postscript contains a pressing summons to join Wallenstein in the province about to be invaded, the reduction of which was in some six weeks completed by these commanders. In August Wallenstein crossed its frontier for the execution of his designs upon Mecklenburgh. These extended beyond its simple reduction to civil or religious submission, inasmuch as its sovereignty had been promised him in reward of his own services, and in retribution for the conduct of its reigning princes. In the promotion of this project we find Arnheim Wallenstein's principal instrument. It was the interest of Wallenstein to preserve from military ravage and exaction the territory he intended to appropriate, and his letters and orders, written with that view, show with what firmness he held the reins of discipline, in the guidance of a force raised by means which must have been unpropitious to its establishment. The dates of the letters in many instances evince the extraordinary activity of their author. In some cases the amount of eight are addressed in the same day to Arnheim alone. One out of three so addressed of the 15th November, after noticing certain irregularities, proceeds—

'The officers and soldiers convicted of such practices are to be punished in life or limb, without any respect to rank or condition; the officers who allow such are to be suspended from their charge, placed in arrest, and reported to ourself, for we are determined to proceed with the utmost rigour against them, that they may serve for a mirror to others, seeing that if the insolencies practised by the soldier, under connivance of the officer, be overlooked, the country must be thereby ruined, and the army be destroyed for want of subsistence.'

This is as like the logic of a Wellington, and as little like the rhetoric of the leader of an heterogeneous force, hastily collected under the *prestige* of a popular name, as possible. It strikes us, however, that there is something fidgetty and undignified in the rapid repetition of orders on the same subject, addressed to one so able and so trusted as Arnheim. We should be surprised to find in Colonel Gurwood's volumes any such specimens of iteration addressed to Hill or Murray.

In a letter of December 13, 1627, indorsed '*cito citissimè*,' Wallenstein adverts to a project which we believe has not come under the observation of historians, viz., one for placing the Emperor on the throne of Denmark. Wallenstein's restless spirit appears to have been excited to this scheme, by nothing better than vague rumours of a disposition on the part of the Danes to revolt against and expel their reigning dynasty. He directs Arnheim to intimate that, if the Emperor gains that sovereignty by force, he will establish

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establish his own laws, but if he be elected by the popular voice, on the expected vacancy, religious liberty shall be secured to his Danish subjects.—(Forster, Vol. I., page 167.) This letter, dated from Brandeis, in Bohemia, is the result of immediate communication with the Emperor, who about this period celebrated at Prague the coronation of his wife as Queen of Bohemia. Wallenstein adds that Arnheim may expect brilliant recompense in the event of success, for that he had the day before spoken with the Emperor on the subject, and that Arnheim is high in the Emperor's opinion. We learn nothing of any proceedings of Arnheim in consequence, but, from a postscript to a letter of January 3rd, 1628, we gather that the crown, which Wallenstein still proposes to place on the head of his imperial master, had, by some, been intended for his own.

'I beg you (he writes) to see how we may practise to procure the election of our Emperor by the Danes. Parties at the court, indeed, would fain have done myself this grace, and his Majesty himself; but I have made it my compliments, for I could not have maintained myself there, but will meanwhile betake myself to the other [Mecklenburgh, doubtless], for that is safer.'

In one out of nine letters, dated from Leutschin, January 6th, four of which are autographs to Arnheim, he alludes indistinctly to the same subject.

'Seeing that no answer comes from Sweden on the subject of our *liga*, I wish you to write your opinion upon it. I would for my own part willingly see a junction with them, for we might the better make ourselves masters of the remaining Danish islands, and then might I with the greater speed and security take in hand the scheme suggested by the court.'—*ibid.* p. 269.

A project which rested on the co-operation of Sweden, for such a purpose as the one in question, must have been visionary. It could at no period have entered into the policy of such heads as those of Oxenstiern and Gustavus, to join in removing the barrier which the sea opposed to Austrian ambition. The anxiety which Wallenstein entertained to establish himself in command of the Baltic is constantly evinced in these letters. It was fortunate for Europe that he failed in endeavours, the success of which would have made of Stralsund the Ostend, instead of the Leyden, of the north, and might have subjected Denmark and Northern Germany to the fate of Bohemia and Hungary. In the commencement of 1628 we find Wallenstein in his Bohemian winter-quarters, but directing in the minutest detail the affairs of his army, scattered over the provinces of Holstein, Pomerania, and Mecklenburgh; the possession of which last was about this period formally ratified to him by the Emperor as the reward of his services.

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There was good reason at this time to expect that the successes of Wallenstein and Tilly might be crowned by a peace advantageous to Austria. The King of Denmark, driven from Jutland and Holstein to his insular fastnesses, and alarmed lest Wallenstein should employ for their conquest the maritime resources of the Hanse Towns, evinced an earnest desire for the termination of hostilities. Wallenstein has been accused of foregoing this opportunity. His personal wishes and policy are displayed in the following letter of January 23rd:—

'I inform you that the council in Denmark is exerting itself to procure a peace, which might also be satisfactory to the Elector of Saxony. Nor would the Emperor be adverse, if anything reasonable could be expected from the enemy. The Emperor and the Ministers are eager to turn their arms hereafter against the Turk..... I will assuredly help with hand and foot towards a peace, but Mecklenburgh I must keep and abide by, for otherwise no peace do I choose to have.'—*ibid.* p. 250.

This language, which is in accordance with numerous passages in other letters, proves that Wallenstein's investiture with the outlying and exposed province of Mecklenburgh was as great a political mistake, on the part both of giver and receiver, as it was an outrage on justice and national law. It vitiated the position of Wallenstein, and interposed motives of self-protection and interest, where every consideration of his honour and permanent advantage called for independence of action. All his letters, however, show that a peace, involving the essential condition of security on this point, was his object at this moment, and that all his further ambition was directed to that legitimate field of military action, the Turkish frontier.

The following letter is indicative of Wallenstein's attention to matters of discipline, and is worthy of notice, as it relates to an individual who was afterwards his bitter and in all senses mortal enemy—

'Prague, Jan. 22, 1628.

'Piccolomini has sent and informed me that the town where he is quartered has offered 14,000 dollars to him to relieve them by quartering in the villages. He adds that they are mutinous and rebellious against him. Now I have given him a rebuke for not having recourse to you who hold the command, for where I am I cannot know whether it is advisable to quarter on the villages or not. I now learn that he has imposed a ransom on the same town, on the score of a cornet whom they have slain, of 30,000 dollars. Now I am resolved not to ratify this, and I therefore beg you to take information on the matter, and report your opinion to me, for if Piccolomini be wrong, then he can in nowise justify this extortion, and I am determined that he shall be punished.'—*ibid.* p. 280.

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If we consider Piccolomini's rank and reputation, we shall be satisfied that the writer of this letter was no respecter of persons in matters of discipline. It may be matter of conjecture how far this particular incident may have led to Piccolomini's subsequent conduct towards his general.

Piccolomini was one of the numerous Italian adventurers who carried their talents to the market of the Thirty Years' War; and the one who reaped the greatest advantage from the speculation. At this period, indeed, he had not long quitted his native country, and the services of Spain and Tuscany, for that of the Emperor; but his family connexions were of the first rank, and Wallenstein seems to have placed a confidence in his talents and courage, which was fully justified in the battle of Lutzen. He was afterwards a prime agent in the assassination of Wallenstein, and after serving conspicuously through the war, down to its close at the peace of Westphalia, was then rewarded by the title of a Prince of the Holy Roman Empire.

The following extract from another letter is characteristic of the haughty spirit which continually exposed Wallenstein to the intrigues of the courtiers, whose enmity it raised and perhaps justified. The Emperor had confided to Count Schwarzenbergh the conduct of a negotiation with the Hanse Towns for a commercial and maritime league with Spain against England, France, Holland, and Sweden. Wallenstein had at first favoured this project, with the view of gaining for his purposes against Denmark the use of the maritime resources of those towns. As soon, however, as he ascertained that the Dane was really desirous of peace, and so alarmed as to offer to relinquish all opposition to his own establishment in Mecklenburgh, on condition that the projected league should be abandoned, Wallenstein coolly insisted with the Emperor on Schwarzenbergh's immediate recal. He writes to Arnheim from Hogitz, May 2, 1628:—

'I send you in confidence an extract from despatches of the court, on the negotiation commenced by Schwarzenbergh with the Hanse Towns. Now he is a man, by reason of his violence, not to be endured. I therefore give you to understand for your information that I have caused the Emperor to be told that, if they do not choose to recal him, I will not join the army so long as he remains where he is. I am of opinion that he will shortly be recalled.'—*ibid.* p. 333.

Wallenstein's earlier notices of his future antagonist Gustavus are usually couched in terms of contempt, which frequently indicate in those who use them anything but real indifference to their object. The following, besides affording an amusing illustration of Wallenstein's devotion to his favourite science, exhibits, perhaps, some indication of a presentiment of the course of that luminary

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luminary which was destined to surpass the splendours of his own star:—

'Gitskin, May 21, 1628.

'I thank you for having sent me the notice of the King of Sweden's birth-day. Now I have further need to know the place of his birth, for it is necessary on account of the *elevatio poli*. I pray you to forward this as soon as may be. I should further be glad that you would cause the scheme to be erected *(thema erigiren)* by the Doctor Herlicius, not that so much stress is to be laid on this, but it is my wish that various hands should be employed in this part. He need not give any conclusions, but only the figuration.'—*ibid.* p. 338.

If Wallenstein's calculations, political or astrological, had not taught him by this time to respect the power and dread the designs of Gustavus, the transactions of the siege of Stralsund in this year were destined to enlighten him.

Wallenstein's correspondence with Arnheim in these volumes amounts almost to a diary of the events of that noble passage in the history of modern Europe. Its details are beyond our limits, and we can do no more than refer the reader to Mr. Forster's pages. The defence of Stralsund must ever be conspicuous among the instances in which valour has borrowed aid from science in rebuking the pride of military superiority, and in damming those torrents of conquest which have occasionally threatened to submerge the liberties of nations. Holland extinguished the torch of the Inquisition in the flooded ditches of Alkmaer and Leyden. The mud wall of Acre, in our time, opposed the first check to the progress of Napoleon. If Europe acknowledges with gratitude the services of Gustavus, and traces to his exploits the foundation of that great adjustment of her conflicting interests and balanced powers, the peace of Westphalia, she owes much also to those burghers who held in their stubborn grasp the keys of that pass by which Gustavus entered on the theatre of his brief but immortal career.

Wallenstein's boast, that he would gain Stralsund though it were fastened by chains to Heaven, is well known. A failure, such as that which in this instance rebuked his blasphemous vaunt, is usually more galling than defeat in the field at the hands of a competent antagonist. Wallenstein's correspondence of this period gives indications of some mysterious project of vengeance on the Swede for his ill-timed interference. In letters 246, 247, 248, the following passages occur:—

'To-day the Scotchman has been with me. He hopes that his purpose will be brought to bear. As he should shortly be in Sweden, he must start soon, before the winter sets in.'

In the next, (Gripswalde, Sept. 6, 1628,) speaking of a communication from Stralsund, he proceeds:—

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'With the Swede I will enter into no negotiation, for his proceedings are all framed for deceit. I beg you, therefore, to send hither that person shortly, for it is time he should start before the winter arrives. Whenever you can secure him, I pray you only to send him to me that I may set forth to him what you will have agreed upon with him. He tells me further that many officers in the Swedish service are eager to quit it. See who they are, and tell me your opinion. I will accommodate things to it as you shall suggest.'

In the next letter (Fransburg, Sept. 15, 1628) he says:—

'The merchant has been with me, to whom I have paid over directly the 5000 dollars, and promised that if the work come to an issue I will add 15,000 dollars to the 15,000 already promised, and thus he will have to receive 30,000 in the case of success.'

As in the very next letter, of the 25th, he complains that he hardly knows how to raise the sum of 1000 dollars, we cannot but ascribe a suspicious degree of importance to the mysterious service on which he proposes to lavish thirty times that amount. From one passage in the second letter cited, we should imagine that his scheme was confined to the exciting mutiny and desertion in the Swedish army, and was not directed, as some have suspected, at the life of Gustavus. We might have little scruple in attributing such a design to the Emperor, or such agents as Piccolomini, but Wallenstein's character forbids us to entertain the suspicion.

In Mr. Forster's second volume, which opens with the year 1629, we find Wallenstein holding his Court at Gustrow, the capital of his newly-acquired Mecklenburgh. Two letters from Kepler, of February 10 and 24, betoken the occupations of his leisure. They are curious, as showing the lamentable waste of time which he, who, with Napier of Merchiston, his contemporary and correspondent, prepared the route of Newton and La Place, condescended, like the illustrious inventor of the logarithms, to lavish on problems worthy of Moore and Partridge. It may be questioned whether Kepler shared, or merely indulged, the delusions of the sovereigns and others who degraded his genius to the elevation of figures and the casting of horoscopes. That he had substantial reasons for his condescension appears from a passage in this correspondence, which shows that Wallenstein's influence at Vienna was exerted with effect in procuring him the settlement of a demand on the Austrian exchequer for 15,000 florins.

The usurper of Mecklenburgh was exposed to the enmity of two dangerous neighbours, Denmark and Sweden. The peace of Lubeck, of which he dictated the conditions, signed on the 12th of May, 1629, secured him for the present against the former. His policy was therefore directed to the finding occupation beyond

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beyond the German frontier for Sweden, all accommodation with that power being checked *in limine* by the determination of Gustavus to retain Stralsund. For this purpose Wallenstein determined to despatch a strong contingent under Arnheim to the assistance of the Polish King against Gustavus. Arnheim, lately elevated to the rank of an Austrian Field-Marshal (which, as Colonel Mitchell remarks, has little analogy to a Field-Marshalship of the present day, being far inferior, and more like a Major-Generalship), shared the reluctance of his troops to exchange the field of Germany, ever a favourite with the soldier, for the Sclavonic barbarism of Polish quarters. The King of Poland was suspected of aversion to his intended auxiliaries; but Wallenstein's energetic will spurned at such obstacles, and overcame for a while the mutual repulsion of all these conflicting particles. The King of Poland was treated as a refractory patient. Wallenstein writes, April 14, 1629:—

'I understand that the Pole is making a truce with Sweden: it were well that you moved forward all the sooner into Prussia. I beg you to lose no time.'—*Forster*, vol. ii. p. 37.

This injunction is repeated and enforced in a letter of the next day. These measures, however, only delayed the termination of these distant hostilities. The corps of Arnheim, after performing some good service, met with the treatment which proffered aid usually receives. Indiscipline followed neglect and maltreatment. Arnheim abandoned his command in July, on the score of ill health; and Sigismund, pressed by a victorious opponent, accepted conditions of peace which enabled Gustavus to turn his undivided attention to Germany.

In Germany itself the storm had meanwhile been gathering which was to shake Wallenstein in his new elevation. The system of profusion in reward and punishment, by which he had maintained discipline in the face of an enemy, failed him during the cessation of hostilities. On the march and in quarters the excesses of his troops had become scandalous, and afforded ground for the intrigues of an host of enemies. The Protestant party were to a man hostile to the great advocate of the Edict of Restitution promulgated by the Emperor. Richelieu threw the weight of French policy at this juncture into the scale against Wallenstein; and his arch-enemy in Germany, the Elector of Bavaria, was unceasing in his hostility. It was under such threatening circumstances that the Diet of Ratisbon, in June 1630, brought to a focus all these intrigues for the removal of Wallenstein from his alleged dictatorship. He soon became aware that the few statesmen, such as Count Harrach, the Bishop of Vienna, and others, who supported him at the Court, were no match for the host

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host of his adversaries. The Bohemian Chancellor, Slawata, writes to warn him of a report that Tilly had received orders for his arrest, and even his assassination. He replies, July 20, (*ibid.* p. 67,) after thanking him for his good intentions:—

'I must, however, wonder that you can occupy yourself with such childish things. My master the Emperor is a just and grateful master, who rewards faithful service in a different fashion from that which you describe. Tilly is also a cavalier, who understands how to lead the boute-feux in couples, but not to assassinate.'

Though Wallenstein received with this contemptuous dignity such intimations as these, he did not venture to play the dangerous game of personally confronting his enemies at the Diet. It appears that Ferdinand, in all his actions a coward, adopted with the utmost fear and hesitation the measure of removing Wallenstein from his command; and it is probable that his craven fear would have induced his consent to a measure for the assassination of one whose presence would have so embarrassed his councils. The great man's cousin, Maximilian von Wallenstein, remaining at Ratisbon, kept him acquainted with the transactions of the Diet. It was at Memmingen, in Bavaria, that Wallenstein, thus prepared for the event, received the Count of Werdenberg, and the Baron of Questenberg, charged by the Emperor to announce it with all possible delicacy and precaution. The injunction was superfluous. Whether deceiving himself, or, as is more probable, for the purpose of imposing on their credulity, Wallenstein coolly showed them a sheet of astrological calculations—from which he professed to have derived a foreknowledge of the purport of their mission; received its intimation without a murmur or remonstrance; and dismissed the one envoy with a present of a splendid tent of Neapolitan manufacture, and the other with two coaches and six.

Schiller's description of Wallenstein's stately retirement at Prague is well known to the German reader, and his details of its magnificence are not overcharged. That eloquent writer omits, however, in his description of Wallenstein's courtly magnificence, to trace the direction of his active mind to other peaceful pursuits than those of mere ostentation. Mr. Forster has supplied this omission, and some extracts from his work towards the close of this article will show what these pursuits were, and make it credible that they might have supplied the place, even to Wallenstein's ardent and indefatigable spirit, of the mad schemes of undue advancement and projects of frantic treason which have been imputed to him. We do not find, indeed, that, like the vast majority of petty German sovereigns, he entertained any passion for the chase, or sacrificed to it the welfare of his subjects.

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subjects. We find no mention of forest laws in his correspondence with his agents. Debauchery of any kind had apparently no charms for him. His wife enjoys on the record that distinction which Pericles, as Thucydides tells us, pronounced 'an excellent thing in woman,' for little is said of her, but that little argues that they lived in the strictest affection; and his enemies have favoured us with no scandalous chronicle of amours or intrigues. It will be seen that the pursuits of his privacy were planting, architecture, agriculture, the encouragement of trade, of manufacture, of education, religion, the happiness of his people in this world and the next. The satellites of Ferdinand might well be unable to credit that such occupations could be a substitute for the excitement of the field and the pursuits of vulgar ambition. In other respects we are glad to find that Colonel Mitchell concurs with us in thinking that Schiller at this period of his history is to be read with caution and distrust.

'In this ostentatious retirement,' says Schiller, 'Wallenstein awaited quietly, but not inactively, the hour of glory and the day destined to vengeance. Seni, an Italian astrologer, had read in the stars, that the brilliant career of Friedland was not yet ended; and it was easy to foresee, without the aid of astrology, that an adversary like Gustavus Adolphus would soon render the services of a general like Wallenstein indispensable. Not one of all his lofty projects had been abandoned; the ingratitude of the Emperor had, on the contrary, released him from a galling and oppressive curb. The dazzling brilliancy of his retirement announced the full altitude of his ambitious projects; and, liberal as a monarch, he seemed to look upon his coveted possessions as already within his grasp, and fully at his disposal.'—*Thirty Years' War*, b. ii. p. 994.

Colonel Mitchell says:—

'In none of Wallenstein's letters, in no document which historians have yet produced, is there the slightest indication to show that he entertained the sentiments of hatred towards the Emperor, or ever formed those projects of vengeance, which have been so universally, and, being without proof, so unjustly, ascribed to him. Even Schiller, instead of taking, as a great man should have done, the part of a great man who had been condemned without being convicted, joined the unworthy cry against Wallenstein. The historian of the Thirty Years' War, not satisfied with representing him as a 'mad, extravagant, and blood-thirsty tyrant,' describes him also as brooding, in his retirement, over dark and dangerous plans of treason, the existence of which have never yet been established by the slightest shadow of evidence; while we shall see the suspected traitor giving Ferdinand the best advice that could possibly have been followed.

'Wallenstein was proud, haughty, and ambitious; he had been injured and treated with ingratitude, and it is unfortunately too congenial to ordinary human nature, to suppose that hatred and plans of revenge would spring up in such a heart in return for such treatment. There

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are so few men capable of rising above the feelings of resentment occasioned by wounds inflicted on their self-love, so few really able to burst asunder the chains by which the meaner passions of our nature drag us down to earth, that we hasten to condemn as guilty all those who come within the range of suspicion. We are slow to believe that there are minds capable of rising altogether above injuries, though we cannot deny the existence of such noble pride. If, in the present case, for instance, we reason only from what we know, and put merely a liberal, not even a partial, construction on what appears obscure, we shall be forced to confess that the man of whom we are speaking, the accused, condemned, and butchered Wallenstein, whose name and memory have, for two centuries, been loaded with reproach and obloquy, possessed such a mind, and that he was above harbouring even anger in return for the ingratitude with which he had been treated. He got no credit indeed for such disinterestedness; and from the moment of his dismissal designs hostile to the Emperor and to the house of Austria were universally ascribed to him.'—*Mitchell*, p. 144.

The Colonel might have added to this passage, in which we entirely concur, a curious instance of Schiller's inaccuracy in a more trifling matter. In the days of Marlborough and of periwigs, controversies never to be solved might have arisen as to the colour of an hero's hair. Wallenstein's was unquestionably black, yet Schiller describes it as red. He was in one personal respect less fortunate than our own hero, whose constitution and habits have carried him unscathed through all the vicissitudes of climate and exertion from India to Westminster, and who now, in pursuit not of Frenchmen, but foxes,

'scours the plain
Almost as quickly as he conquered Spain.'

Wallenstein had been long a sufferer under gout. Marshal Saxe reviewed, from the same cause, the lines of Fontenaye in his chariot. When Wallenstein rallied his reeling brigades at Lutzen, he had with difficulty exchanged his coach for the saddle. Like Coligny he was suffering from the same disease, when his murderers supplied its only effectual cure. He was, nevertheless, temperate in his habits. That he had substituted beer for wine, and was curious in the choice of that beverage, we learn from a familiar passage in the Arnheim correspondence, in which he employs that officer as his purveyor.

Though we gladly agree in Colonel Mitchell's estimate of Wallenstein's elevation above the mean passion and resentment attributed to him, we can hardly conclude him insensible to some feeling of moody triumph, as he watched the growing difficulties of the empire, and heard of each successive advance of its Lutheran invader. A letter of Pappenheim, addressed to him from the lines before Magdeburgh, indicates that Wallenstein took care

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care to keep himself well informed of the operations of his successor in command, Tilly. The following passages from a letter of the same correspondent, written shortly after the defeat suffered by Tilly at Breitenfeld, are interesting, as showing Pappenheim's views with regard to Wallenstein's position. (Sept. 29, 1631. *Forster*, ii. p. 108.)

'From my last your Excellency will have learned the unhappy defeat we have suffered, and in truth we have little of good to relate since your Excellency's retirement. God alter it. He has on this occasion wonderfully and unnaturally protected me; for I was the last in the field whether of soldiers or officers. . . . . I hope I have both in the field and afterwards done what a good soldier could, and I shall, God willing, while a vein can stir in me, exhibit no other behaviour towards the Emperor. The burthen is hard, it is true, for me, in this confusion, to bear alone, for his excellency (Tilly) is ill, Schömberg and Erwitt lost, and I have no one but Furstenbergh to rely on for aid. For an effectual remedy to all this, I see no other but that your Excellency, for the service of God and religion, for the aid of the Emperor and our country at large, should undertake this war.'

We must here remark on the modesty of Pappenheim's allusion to his own share in this memorable conflict, in which, merely stating that he was last in the field, he omits all mention of the fact, supplied in Tilly's official despatch, that he had stretched upon it with his single sword fourteen of the enemy.

This signal defeat laid bare Bohemia to the Saxon allies of Gustavus, now commanded by Arnheim. The fertile corner of that province, the high-water mark from which the tide of Napoleon's fortunes ebbed in 1814, was speedily invaded and occupied. Maradas, the commandant of Prague, destitute of resources for the defence of that capital, after vain applications to Vienna, betook himself for advice and orders to Wallenstein. Wallenstein coolly replied, that he had neither orders to give, nor authority to exercise, and breaking up his own princely establishment, departed for his possessions in Moravia, whither his wife had preceded him. In a few days, as if to illustrate the versatility of the military profession in this age of Dalgettys, the dragoons of Arnheim were mounting a guard of honour before the deserted palace of his late commander and correspondent.

Mr. Forster here devotes a chapter to the subject of that systematic falsification of Wallenstein's history, which he alleges to have commenced on the part of his accusers from about this period. Their main charges connected with this time are comprised in the Annales Ferdinandicæ of Wallenstein's cotemporary, the privy councillor Khevenhüller; and his account rests almost exclusively on the evidence furnished by a Bohemian adventurer, Scheschina Raschin. It is upon his testimony that Khevenhüller accuses

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accuses Wallenstein of a long-continued and traitorous correspondence with Gustavus. The discussion of the question far exceeds our limits; but we think it clear that no well-constituted court of historical justice would give an atom's weight to the testimony of the miserable pamphleteer in question. It would appear, however, that on no other or better authority a writer so able as Schmidt* follows blindly in the track of the cotemporary accusers, and repeats the calumny which charges Wallenstein with undertaking, on certain specified conditions, to besiege the emperor in Vienna. Schmidt, when he wrote, was director of the archives in that city, but has failed to produce from them an item of matter confirmatory of the charge which he has thus repeated. While therefore he misleads the cursory reader to their implicit belief, he assuredly affords the critic and investigator much ground for the utter incredulity which Mr. Forster entertains as to Wallenstein's treason so far as this period is concerned. Schiller, Becker, and the Conversations Lexicon, are equally blamed by Mr. Forster, for popularizing, on the same defective grounds, the tale of Wallenstein's early, systematic, and continuous treason. That Wallenstein should have been a subject of constant and unremitting suspicion during his retirement at Prague, was an inevitable consequence of the position in which his own ambition and his enemies had placed him. A letter of Tilly's affords a specimen of the imputations to which he was exposed.—(February 21, 1631, *ibid.* p. 149.) This letter was written to accompany some French newspapers, containing allegations of Wallenstein's correspondence with Sweden, and the tone of friendly and sincere good-will in which it is written does honour to the terrible hero who drove three kings out of the field, and between whom and Wallenstein no great mutual esteem existed. His answer to Tilly is civil:—his comment to Questenberg less so:—

'I am not,' he says, 'in the least offended with the Emperor. Heaven preserve me from such projects ever entering my brain! I conjecture that this springs from another quarter, and it has been put into the hands of Tilly. For *piensa il ladron que todos son de su condition.*'

This quotation of a Spanish proverb probably marks the quarter to which Wallenstein attributed the origin of these calumnies. It was that to which the first suggestion of his assassination has been with much probability traced.

Mr. Forster and Colonel Mitchell may be thought by some to give somewhat too implicit credence to Wallenstein's disclaimer of offence. It is difficult to speculate upon the degree of discrimination with which he may have apportioned his indignation

* Schmidt's History of Germany, vol. v., chap. 6.

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between the emperor who yielded, and the courtiers who originated, the measure of his removal. His correspondence at least supplies no proof that he belied at any moment the dignified, however haughty, demeanour with which he in the first instance submitted to the exercise of the imperial prerogative. The emperor on his part maintained with him a correspondence on the most intimate and honourable footing, and committed to him the conduct of a delicate negotiation, having for its object the separation of Denmark from the interests of Sweden. It is remarked by Forster, that Wallenstein's accusers have avoided all allusion to this negotiation—which omission he attributes very plausibly to the circumstance that it proves, inconveniently for their purpose, that Wallenstein addressed himself with zeal and fidelity to a task inimical to Swedish interests at the very moment when, according to his enemies, he was tampering with Gustavus. This *suppressio veri*, on the part of those who had access to all documentary evidence, is certainly in his favour. Again, Khevenhüller asserts, that Wallenstein refused at this period to visit Vienna, because the title of Duke had been refused him. So far is this from the fact, that we find the emperor's letters all superscribed to the Duke of Friedland, &c. The same title was recognised by England and Sweden. We are aware that these marks of imperial favour may be as probably attributed to the hypocrisy of fear and mistrust, as to any other source more honourable to both parties.

No one has, at least, ventured to extract any ground of impeachment from the Danish negotiation. This has been attempted in the case of Wallenstein's communications with Arnheim, which, after some interruption, were now renewed under novel circumstances. Their former correspondence had ceased without a rupture, but with some coldness, for Wallenstein complains that Arnheim had neglected to communicate to him the transference of his services to Saxony. In the early part of 1631, Arnheim had procured Wallenstein's good offices for the settlement of a large pecuniary claim on the Austrian Exchequer. In a letter of Questenberg to Wallenstein of the 8th of October (No. cccxxix., p. 168) is this expression:—

'His Majesty has commanded me to contrive an overture for this purpose [*viz.*, to detach Saxony from Sweden], and to write to your Excellency, should you still be in correspondence with Arnheim, to learn whether you could not, as from yourself, make an opening.'

It is plain from this that the Arnheim negotiation, which has been dragged into the file of charges against Wallenstein, was begun at least at the direct command of the Emperor; and that his previous correspondence with Arnheim was anything but a secret.

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secret. The *onus* lies on his accusers of proving that, in the conduct of a transaction so begun, he swerved from its legitimate object. All the documentary evidence, which cannot amount to an absolute negative, tends to show that every subsequent step was taken by him with the full knowledge and approbation of the emperor. The style of the correspondence between the former fellow-soldiers, by a natural transition, becomes that of two high contracting parties; and we see no ground to suspect, much less a right to conclude, that under the secrecy of a personal conference, which took place equally with the emperor's knowledge, their communications assumed in any respect the character which was subsequently imputed to them.

The hour of humiliation to Wallenstein's enemies and supplanters had now arrived,—the hour of danger and of need, when those who had cashiered the pilot were reduced to implore him with lowly suit and undignified imprecations to resume the helm which no hand but his could master and direct. The magic of his name to raise, the energies of his will to control, his talent and experience to guide, a force capable of stemming the advancing Swede, were indispensable to the existence of the empire, and Wallenstein was in a position to dictate the terms of the contract which was to secure them. The cup was sweet. He sipped it for awhile at leisure, then drank to the dregs, and those were poison. He began by spurning the proposal of a divided command, though a king of Hungary was to share it. Command in any shape he long, indeed, rejected, and confined his undertaking to the mere levy of a force which, at the end of three months, he insisted on delivering to another. We may, perhaps, suspect his sincerity in assuming that the armed hordes who, from all Germany, and even from Poland and Lithuania, flocked around his banner, would ever serve under that of another. It is unquestionable, however, that he pushed his *nolo episcopari* to an extremity which would have deprived him of the shadow of a pretext for complaint, had the emperor, in his difficulties, adopted the expedient of placing the king of Hungary in command. We know also that his constitution was shattered by that disease which those who have suffered by it can easily imagine to have been the sufficient cause of Charles V.'s abdication. Colonel Mitchell's views of this subject are contained in the following passage:—

"Wallenstein had fulfilled his promise: the army was formed; but the three months for which he had taken the command had expired, and he now declared his intention to retire from the scene, notwithstanding the pressing requests of the Emperor and of the imperial council. All historians, and Schiller among the rest, assert that this was a mere piece of acting, devised for the purpose of obtaining absolute and dictatorial power

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power over this newly-raised force, which he was well aware could only be wielded and kept together by the power which had called it into existence.

'Nowhere is there any proof to bear out these statements. Wallenstein pleaded ill health and want of money as reasons for wishing to retire into private life. We know that he suffered severely from the gout. His signature, which before was a large, bold flourish, begins to dwindle down to a meagre scrawl; and the hand, which historians describe as grasping at a crown, was scarcely, at the time of the pretended conspiracy, able to hold a pen. That he was in want of money may also be conjectured: the troops had been raised principally at his own expense, and at the expense of the officers who had levied corps and regiments, for it does not appear that the Emperor contributed anything towards the armament; and, of course, the Spanish subsidy never arrived.'—*Mitchell*, p. 214.

The intervention of a man of influence with Wallenstein, Eggenberg, was long exerted in vain. The Bishop of Vienna, whose mission has been suppressed by Khevenhüller, at first obtained nothing more than a promise that he would exercise the command till he could speak with Eggenberg, who was detained on his road by the same disease which Wallenstein was enabled to plead in his own excuse.

At length, on the 15th of April, Eggenberg brought back the contract which has entailed on Wallenstein from so many quarters the reproach of rapacious and overweening ambition. Its terms were these:—Wallenstein's appointment as Generalissimo, not only in the service of the Emperor, but in that of the House of Austria, including the King of Spain; the second was a matter of punctilio, that this commission was to be drawn in *optimâ formâ*. The Emperor was neither to command nor remain with the army, but, in the event of the recovery of Bohemia, to reside at Prague with a guard of 12,000 men, under Maradas, at his orders. It is strange, as Mr. Forster remarks, that from this very stipulation Wallenstein's accusers should have argued that he had designs on the crown of Bohemia. A stipulation for the Emperor's retirement to Vienna would have been here germane to the matter. A landed estate to be secured to Wallenstein in Austria as an ordinary recompense; upon the occupation of any hostile territory, its feudal superiority to be secured to him in the Holy Roman Empire as an extraordinary recompense; the power of confiscation within the empire, in *absolutissimâ formâ*, and not to be interfered with by the Emperor, his council, or the chamber at Spire; full power in all such matters of confiscation, as also of pardon, so that neither pardon nor safe conduct from the Emperor should have effect without the Duke's approval, except as to life, seeing that the Emperor would be too indulgent, and due means

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means thereby be wanting of rewarding the troops; in case of any negociations for peace, the Duke's claims on Mecklenburgh to be secured in the treaty; all means and expenses to be provided for the war; all the Emperor's hereditary dominions to be open to the Duke, whether for advance or retreat. Mr. Forster conjectures that these conditions savoured of a policy such as Thucydides attributes to Nicias in his demands for the Syracusan expedition, and that they were framed for the purpose of their rejection on the part of the Emperor. This writer further justifies them on the ground that Wallenstein was not merely a general dealing with his sovereign, but a sovereign and independent prince dealing with another, superior, indeed, in rank, but in other respects at his mercy. Such a tone of princely independence had been before assumed by William of Nassau in his dealings with the tyrant of Spain; but Wallenstein's pretensions to assume it were, we think, more questionable than those of a Prince of Orange. Be this as it may, Wallenstein was at least justified in taking good security against the Spanish confessors and other intriguers of the court. In point of policy, he may be blamed for an extravagance in his conditions dangerous to the interests they were intended to secure. In respect of plain dealing, none can impeach him. That extravagance nothing but success could justify. It placed his existence on the fall of that iron die which had won him hitherto the prize of many a game. The present stake was as noble an one as war could offer, and he set, without further hesitation, fame, fortune, and life on the hazard.

The dispatches of Wallenstein, written during this campaign with Gustavus, might bear comparison with those of the Duke of Wellington for simplicity and the absence of exaggeration. At no period indeed of the correspondence do the natural topics of comparison between the writings of the two commanders, penned on the field and dispatched on the spur of the moment, more forcibly suggest themselves. His words and actions alike indicate that he was duly sensible of the qualities of the great antagonist in whose presence he now for the first time found himself. He sought no rash encounter in the field. So far from flinging himself against the vast fabric of field-defences which Gustavus had raised around his position near Nuremburgh, he called to his own aid the art of the engineer—and no recollections of former successes could divert him from his defensive plan of operations, or lure him from his own entrenchments, which, with skill and judgment equal to that of his adversary, he had thrown up at Altenburgh. Masses of hewn rock still mark on the height of Burgstall the spot which formed the key of his position, and from the attack of which Gustavus was fain to retire with heavy loss after eleven hours' fighting. When difficulties

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difficulties of subsistence, foreseen by Wallenstein, finally compelled the Swede to retire from Nuremburgh, Wallenstein thus comments on his retreat in a letter to the Emperor, of September 18 (vol. ii. p. 245). After indicating his own plan of operation and pursuit, he proceeds—

'He has made a fine retreat, and proves certainly, by this and all his other actions, that he (more's the pity) understands his business.'

Such language well expresses

'The stern joy which warriors feel
In foemen worthy of their steel.'

Whatever may have been the criticisms of Wallenstein's enemies at the court, it is impossible for posterity to refuse to his operations up to this period the highest credit of well-earned success. Acting in conjunction with an insincere ally, the Elector of Bavaria, and in command of raw levies, he had repulsed an enemy who had twice defeated in pitched battle his predecessor in command, Tilly, and whose march on German soil had been a succession of victories. Yet these very operations have been subjected to obloquy by Khevenhüller and his followers, who piously attribute the bloody repulse of Gustavus at Altenburgh to the interposition of heaven, and, omitting all mention of Wallenstein in that affair, charge him with neglecting other opportunities for the destruction of his antagonist.

Two letters of this period, addressed by Wallenstein to the Austrian field-marshal Gallas, will be interesting to military readers, as illustrating his operations previous to the battle of Lutzen. The following extract exhibits his views as to the maintenance of discipline:—

'Coburg, Oct. 13.

'I pray you to hold sharp justice, and see that the least thing be no more taken from the peasant, for we must have our winter quarter there [in Saxony], and live upon it.

'P.S.—Take measures that the peasants be brought to return to their homes.'—(Vol. ii. p. 267.)

The following is addressed to Pappenheim on the eve of the battle. The original, in the archives of Vienna, is steeped in the blood of that officer, having been on his person when the shot struck him which deprived Wallenstein of his trustiest friend, and the military galaxy of the age of one of its brightest luminaries. This officer, born in 1599, was thus cut off in the prime of his life. He was the Murat of his day for the boldness and brilliancy of his exploits at the head of his mailed cavalry, but is said to have surpassed his commander, Tilly, in cruelty at the storm of Magdeburgh. He expired exulting at the report, which reached him

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him in his last moments, of the fall of Gustavus. Pappenheim had been detached for the occupation of Halle at a moment when Wallenstein did not expect the attack of Gustavus. This letter, breathing hot haste, speaks better than volumes of description the exigency of the hour, and the value of Pappenheim's presence where blows were to be exchanged :—

'Lutzen, Nov. 15, 1632.

'The enemy marches hitherwards. You must let all stand and lie, and make your way (incaminire) hither with all your people and guns, so as to be with us by to-morrow early.

'P.S.—He is already at the pass where the bad road was yesterday.'

Mr. Forster, in his account of the battle, investigates the widely-conflicting statements as to the relative numbers of the parties engaged. He rates the united force of Sweden and Saxony at 27,000, of which 11,000 were cavalry: other accounts reduce it to 22,000. The estimates of the Austrian force are more conflicting. Diodati, who served under Wallenstein in the battle, gives him only 12,000 men previous to the arrival of Pappenheim, whose detachment has been estimated at the same number. The accounts which give Wallenstein 40,000 and even 50,000 men, are doubtless greatly exaggerated. Gallas, who figures in some of these narratives as commanding a strong division, was unquestionably absent. Mr. Forster gives us a fac-simile of a sketch of the Austrian order of battle, curious as being drawn and coloured by Wallenstein's own hand, but conveying little certainty as to the actual position of his brigades, as it is probably a preliminary rough draft of his ideas, subject to contingencies. Some names of commanders occur twice, and it is uncertain whether this indicates changes in the plan or divisions of regiments. Wallenstein, as we have before observed, was suffering from gout. He exchanged, however, for a time his litter for the saddle, his stirrups being wadded with silk to protect his feet, from which portions of flesh had been actually removed by the knife of the surgeon.

There are some features of this great action which seem to us analogous to those of one of the most remarkable feats of arms of our own times, the battle of Salamanca. It may seem presumptuous in us to institute a comparison which has not been suggested by Colonel Mitchell, but we are pretty confident that this biographer, had he thought it worth while, might have made out a strong case of similarity, and that military readers will admit the comparison. The previous objects of the Swede and the Englishman were not indeed precisely similar. Gustavus was intent on joining the Saxon, Wellington on retiring into Portugal. Marmont, on the other hand, was pressing his opponent; Wallenstein, as it appears, had made up his mind to retire into winte quarters

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quarters without an action. It was, however, equally the policy of Gustavus and Wellington to refrain from a general onset, unless on some such contingency as that which in the case of both gave them that decided advantage which fortune may present to all, but which great men alone know how to seize. Wallenstein's detachment of Pappenheim, as affording such occasion, may be compared with that extension of Marmont to his left which enabled Wellington to turn on his former pursuers, and, in the emphatic phrase which we have heard attributed to him, to beat 40,000 French in forty minutes.* The circumstances, however, of Salamanca were more striking, and the result more complete, than those of Lutzen. The operations of the Swede, rapid as they were, were spread over a larger surface of space and time. He read his letters and marched. Wellington saw, shut his telescope, and charged. An intervening night and day made Wallenstein aware of his danger, and enabled him to bring up Pappenheim's detachment to the conflict. Thomières was slain, and his division rolled up, before Marmont was well aware of his error. Both were certainly instances of that rapid *coup d'œil* which appears to be the distinguishing feature and the test of the highest order of military talent. It is true that such exploits require a high degree of perfection in the machine which is to execute them; but such perfection is in most cases the creation of the master-spirit who uses it, and this was especially true in both the instances in question.

The loss of Gustavus, however great, was not that of the battle. His young and ardent successor in command, Bernard of Saxe Weimar, spurned the suggestion of retreat. His announcement of the fatal event to the troops resembled that which the Highland leader in 1715 addressed to the Macdonalds on the fall of their chief—'To-day is the day for revenge,—to-morrow for mourning;' and well was the call answered by those yellow brigades which Diodati describes as annihilated in their ranks by the fire of Piccolomini. Pappenheim's fall, on the contrary, was fatal; the cavalry which he had flung so fiercely on the Swedish right turned and fled. The behaviour of Wallenstein's army in general bespoke the haste with which it had been collected, and justified the wisdom which had prevented him from courting a trial of strength in the field. Its resistance was partial; that of some brigades

* 'Marmont ought to have given me a *pont d'or*, and he would have made a handsome operation of it; but instead of that, after manœuvring all the morning in the usual French style, nobody knew with what object, he at last pressed upon my right in such a manner, at the same time without engaging, that he would have either carried our Arapiles, or he would have confined us entirely to our position. This was not to be endured, and we fell upon him, turning his left flank, and I never saw an army receive such a beating.'—*Letter of the Earl of Wellington to Sir T. Graham, Flores de Avila, 25th July*, 1812. *Gurwood*, vol. ix., p. 310 (second edition).

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was desperate—the conduct of others was afterwards expiated on the scaffolds of Prague. The corps of Piccolomini was among the former. He had five horses shot under him, and was himself six times wounded before he left the field. It is a painful part of an historian's duty to award the meed of military renown to a base and rapacious assassin, but it cannot be refused to Piccolomini. Among those whom devotion to Wallenstein brought into the fire on this occasion, was a churchman, the abbot of Fulda. We find him, in a letter dated Neumarkt, October 25th, thus proffering his services :—

'My wish is zealously and obediently to live after your highness's wishes and commands, humbly praying your highness, trusting me in this, to incur on behalf of my poor person no inconvenience or difficulty. I ask nothing more than to be accommodated as the meanest of your soldiers or servants.'

He was accommodated with more than he desired, a soldier's grave. This eager prelate, having given his benediction to the troops, instead of considering his vocation exhausted, indulged in a caracole on the field, and, like Gustavus, fell in the fog into a body of the enemy's cavalry, who despatched him without compunction. This and many other incidents of the battle are mentioned in the report of Diodati, drawn up by the Emperor's command, and extant in the archives of Vienna. This narrative, inserted in Mr. Forster's publication, and of which Colonel Mitchell has made excellent use, fully justifies the eulogy bestowed upon it by both authors, not only as an account of the action itself, but as a strategic detail of the operations which led to it. Among other particulars, it shows that the death of Gustavus was reported to Wallenstein soon after its occurrence, and that a trumpeter of Holk's corps produced one of the spurs of the fallen monarch. It would seem, however, that doubt did, as has been generally stated, exist in Wallenstein's mind for some days as to the truth of the report. He writes in the postscript of a letter of the 25th, nine days after the battle, that the death of the King is certain.

Wallenstein's well known propensity to profusion in reward, and severity in punishment, were both displayed after this action. Officers of all ranks, who had distinguished themselves, received sums varying from 12,000 to 100 crowns, and regiments in like manner received pecuniary gratifications. Fearful, on the other hand, was the example made of those who had shrunk from their duty. Eleven officers and four privates were beheaded, seven hanged, and the names of forty officers, sentenced *par contumace*, affixed to the gallows at Prague. This tremendous chastisement was not the result of momentary indignation at defeat. The proceedings

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proceedings did not take place till the 21st January, 1633, and the execution followed on the 4th February. Wallenstein probably judged rightly, that the moral effect on the army at large would be increased by the character of deliberate and dispassionate justice with which delay invested the transaction. His severity is hardly reconcilable with the designs attributed to him. An indulgent policy would surely have been more consistent with the intention of transferring to his own person the allegiance which the soldier owed the sovereign, and of setting his own popularity against the influence of the Emperor—in the desperate game of treason which he is accused of having at this period contemplated. Be this as it may, fear and hatred were doubtless widely generated among those whose defection was necessary to the accomplishment of his alleged purposes.

For a detail of the events of the following year, the last of Wallenstein's career, down to its tragical termination, we can but refer the reader to Mr. Forster's third volume. Its perusal has scarcely led us, through the complicated labyrinth of negotiations and intrigues to which it adverts, to any more positive conclusion than to that verdict of Not Proven which we are inclined to pass on nine-tenths of the charges adduced against Wallenstein. To effect more than this with respect to many allegations which relate to conversations, and even to whispers, is hardly within the power of mortal advocacy. Mr. Forster's defence of his client is minute and elaborate. He endeavours with much ability to show that the questionable negotiations of Wallenstein with Saxony, Sweden, and France, were all intended to deceive and overreach the enemies of Austria, and to procure a peace advantageous to that power, though on terms of liberality to the Protestants. He considers Wallenstein's opposition to the views of the Emperor, for the separation and mutilation of the force under his command, as justified by sound and unanswerable military arguments; and that his own attempted and forestalled defection sprung from the impulse of self-preservation alone. With these views he also acquits him of all blame in the matter of the famous declaration of his officers at Pilsen. He considers him as sentenced without evidence, and executed without proof of guilt. In favour of these views, it undoubtedly appears, that while Richelieu panegyrizes him as a fallen and honourable foe, Oxenstiern and Bernhard congratulated themselves on the extinction of an enemy they feared, and a negotiator on whose treason to an hostile cause they to the last had not relied. There is much *naïveté* in the observations of Richelieu on his fall:—

'Whether, however, the Emperor may have been a bad master, or Wallenstein an unfaithful servant, it is always a proof of the misery of this

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this life, in which, if it be difficult for a master to find a servant he can entirely trust, it is still more so for a good servant totally to trust his master, inasmuch as a thousand enviers of his glory are about him, and as many enemies whom he has made such for that master's service..... and that to please the latter every one disguises under the name of justice the actions of his cruelty or unjust jealousy.'

This language comes naturally enough from the minister who had been marked for assassination by the royal slave he served. (See *Memoirs of Richelieu*, lib. xxv.)

It must be remembered that the fear of capital punishment long hung over many of Wallenstein's principal adherents; that to one of them, the Count Shafgotsh, in consonance with the savage practice of the time, the torture was unsparingly applied—and that it failed to produce not only any proof, but any admission, of guilt.

Colonel Mitchell thus gives his verdict on these questions:—

'It is now evident that Wallenstein fell a victim to some dark plot, the thread of which has not yet been discovered, though its machinations are amply attested by the letters of the Italian faction, and by those of the elector of Bavaria. Maximilian, Piccolomini, Diodati, Grana, Gallasso, and others, worked skilfully on the jealous fears of the Emperor, and hurried him into measures, of which he so far repented as to declare, some years afterwards, that Wallenstein was less guilty than his enemies had represented.

'The combination of Pilsen was, no doubt, reprehensible, and would now be criminal; but it was less so at a period when the just principles of subordination were almost unknown; and the Court of Vienna, so far from looking upon the transaction as a serious offence, thought it advisable to give a false account of the proceeding, when they brought it forward as a treasonable charge. It is said, in the imperial statement, that the paper signed by the officers had been fraudulently substituted for the one which contained the resolutions actually agreed upon, and that the clause contained in the first—suppressed paper,—by which the officers bound themselves to remain faithful to the Emperor, had been purposely omitted in the second paper, to which the signatures were obtained. These imperial assertions bear falsehood on their very face: no man would think himself bound by a signature out of which he had been defrauded; nor did any of the officers tried allege in their defence that so mean a deception had been practised upon them.

'But allowing that precedent and the opinion of the times palliated, in some degree, this military combination, it must still be a question whether Wallenstein really intended to resign the command of the army when he called the officers together: whether the most ambitious of men was willing to descend from dictatorial power, to the retirement of private life, at the very moment when France was tendering crowns, armies, and millions for his acceptance. History is bound to acquit the Duke of Friedland of treason; for all the power and influence of the court of Vienna failed to make out a case against him. From beyond the

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the grave the mighty spirit of the man still overawed his enemies; and confounded their counsels: it was in vain that bribes and tortures were employed to prove him guilty; these criminal efforts only recoiled upon their authors, and laid bare to the world the full infamy of their conduct. But the guilt of one party cannot establish the innocence of another; and strongly as this presumptive evidence tells in Wallenstein's favour, the suspicions caused by his eccentric conduct still remain. What were the plans engendered in that lofty and aspiring mind,—what the hopes cherished in that ambitious and not ignoble heart,—are questions never likely to be answered! Oxenstiern declared, even in the last years of his life, that he never could comprehend the object Wallenstein really had in view: and as the ablest and best informed man of the time failed to unravel the secret, it will be in vain that we attempt to fathom a mystery over which the gloom of two centuries has now been gathered.

'If we too often see the best and most generous qualities of our nature crushed beneath the chilling influence of adversity, so we expect, on the other hand, to find them called forth and cherished by the genial sunshine of power and prosperity. We naturally feel disposed to combine the idea of high qualities with high station; and the want of noble and generous feeling, which in the humbler ranks of life is but an absence of virtue, augments to criminality in proportion as we ascend in the scale of society; and we can only fancy such deficiency to exist upon a throne, when the crowned occupant is composed of the meanest materials of which human nature is ever put together. Ferdinand II. was such an occupant of a throne. In the hour of danger, and when pressed by the victorious arms of the Swedes, he conferred almost dictatorial power on the man from whose aid he alone expected safety. But no sooner was the first peril over, than the imagination of the terrified sovereign magnified into treason and rebellion the exercise of the power which he had before delegated. In his base and unkingly fear—to acquit him even of envy and avarice—he condemned without a trial or hearing; and not only handed over the man who had twice saved the monarchy to the halberts of hired assassins, but rendered himself an active party to the crime by the treachery of his conduct. In order to deceive his intended victim, and to render the blow more certain, he remained in constant and confidential correspondence with Wallenstein, for twenty days after the betrayed general had been outlawed as a rebel. True it is, that he afterwards caused 3000 masses to be said for the soul of the slain: and courtiers and confessors may, by such means, have silenced the feeble voice of the royal conscience. But the voice of history will not be so silenced; and the name of Ferdinand II. will be handed down to latest posterity, as the name of a sovereign in whose callous heart not even imperial sway could raise one spark of noble fire; who, while crawling in the dust before images and reliques, remained deaf to the duties of Christianity; and repaid the greatest services ever rendered to a prince, by one of the foulest deeds of treason and of murder recorded in the dark annals of human crime.'—*Life of Wallenstein*, p. 342.

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If we descend from the court of Vienna to the agents of its bloody mandate, we shall be at no loss to collect the motives for that subservient zeal which converted soldiers into assassins. Those motives are sufficiently apparent in the speed with which the vultures gathered round the carcase. From Gallas and Piccolomini, down to Leslie and Butler, one spirit of active and clamorous rapacity inspired them all, and liberally were their claims acknowledged. The hand of an Archbishop hung the gold chain, the gift of the Emperor, round the neck of the principal butcher, Butler; and chamberlainships, regiments, and confiscated estates, were showered on his fellow assassins. Gallas obtained for his share the lordships of Friedland and Rechenberg. It appears that Piccolomini, who had distinguished himself by execrable insults towards the corpse of his former commander, was for a time dissatisfied with his share of the spoil; but we fear that this prime scoundrel too was finally appeased by a donation of territory.

We know not whether we have succeeded in communicating to our readers some of the interest which the perusal of these records has excited in our minds. We think we have said enough to convince them that Mr. Forster's contribution to the materials for the history of the thirty years' war is of considerable value. His minor work, published in Raumer's Annual for the year 1834, is scarcely of less interest to us, and will certainly be more amusing to many. In military greatness Wallenstein had rivals of his own day, and has been perhaps surpassed by champions of elder and later times. The successes which led to his 'pride of place' were in great part achieved in a bad cause, and against overmatched foes. Those singular features of character, which in their combination bring out his portrait in such strong relief on the canvas of history, are perhaps more palpably to be traced in the records of his private life and domestic relations than in the annals of his campaigns. His unwearied diligence in the administration of his vast possessions; his elevation above the superstition and the intolerant bigotry of his age, of the court he served, and the Jesuits' school in which he had been trained; his fostering care for the physical and moral welfare, the worldly prosperity, and the education of his subjects, would have made him one of the greatest men of his time—if he had never fought a battle, and could have won by any other channel than that of military exploit the means of displaying these qualities and propensities. The proofs of his possession of them are copiously furnished by this unpretending tract of Mr. Forster's.

As an illustration of a remarkable character, of a singular government, and the curious position of a subject elevated to sovereign

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sovereign power, it is at least derived from the best of sources—the correspondence, the legal documents, and the account-books of the party it describes. Could Schiller have enjoyed the opportunity, and condescended to use it, of consulting such documents, many pages of his brilliant work might have presented an aspect not less brilliant—but more true. Not even Schiller's descriptive felicity, however, could well have afforded so lively an idea of the peculiarities of the Friedlander's genius and temperament, as some of Mr. Forster's extracts from his own hurried and confidential communications to the agents of his power. The realms of nature and of art have supplied to philosophers instances, often cited, of the various application of the same instrument to a wide range of objects. The variety of the topics embraced in Wallenstein's letters, and the strange activity of the grasp which seizes them, might almost justify us in comparing his mind to the trunk of the elephant, to which the invention of Watt has been likened in Lord Jeffrey's eloquent *eloge* of our great mechanician. The rapid repetition of his orders, the foreign words, and especially the favourite *Furia*, which he presses into his service, evince the fierce impatience with which he darted to his ends in civil affairs as in battle. We remember hearing with astonishment, long ago, from a member of the legal profession in Ireland, that he received the heads of the Dublin Police Bill from the then Irish Secretary, Sir A. Wellesley, drawn up by him when tossing off the mouth of the Mondego, with Junot waiting for him on the shore. The volumes of Gurwood have now revealed a thousand traits not less wonderful of that illustrious mind's easy versatility; but even Wellington could hardly surpass, in that respect, the Friedlander, who from the head-quarters of 60,000 men could dictate the medical treatment of his poultry-yard.

We have cited the honoured name of our own great Duke perhaps irreverently in connection with such a topic; but there are other matters in which the comparison might be perhaps to some extent pursued. Of relative military renown, we here say nothing, being disqualified by national feeling and something more for entertaining for a moment any such comparison. If Colonel Mitchell's estimate, however, of his hero's military qualities be a sound one, Wallenstein holds a rank of which few could take precedence. The correspondence of both has been brought to light nearly at the same time. That of Wallenstein will find few readers but the antiquary and biographer. Published two centuries after the death of the writer, it leaves, after all, the most interesting of the historical questions which affect his character unsolved, and throws perhaps little new light even on the

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military history of the time. The Duke of Wellington has been more fortunate; he has lived to read, digest, and enjoy the best record of his own achievements, one which we prophecy, less on our own, perhaps, partial authority, than on that of the wisest and most eminent of his fervent political opponents, will live when we with its author are dust—a source of wonder, and praise, and admiration to late, very late generations. There are, however, points of similarity between these publications, of otherwise unequal interest and pretensions, which naturally arise out of the resemblance between the relative positions of the two men. Either compilation is perhaps equally calculated to disabuse the popular mind of the impression that a general in command of an army is a gentleman in a helmet or cocked hat, as the case may be, mounted on a horse, with two legs in the air, or standing in the neighbourhood of a 29-pounder, and directing certain movements of bodies of men, after the fashion of a review in Hyde Park. Both present a pretty faithful picture of the cares of providing food, raiment, and lodging for the said men and their horses, and roads whereon to drag the said piece of ordnance and its fellows. The volumes of Colonel Gurwood present perhaps as many instances as compilation ever showed of the kindness, the caution, the delicacy towards subordinates, which are rare in all despotisms, but rarer perhaps in none than in that shape of despotism which must in the nature of things always form the character of military command, however responsible for the exercise of its functions to a popular government, and tempered by regulation. Nor are instances of this kindness to inferiors of all classes wanting in the correspondence, official and private, of Wallenstein. That his impatient spirit could have endured for an instant the inflictions of Spanish or Portuguese co-operation, we do not believe; but, taking into consideration the intoxicating circumstances of his rapid elevation to wealth and power, and contrasting him with his own contemporaries, we find on the record traces of a gentleness of disposition, of kindness, and humanity, which have long been neglected by historians, and which seem to soften down the lurid light in which his character has often been pourtrayed.

It has been said that in Ireland some of the best-managed estates belong to permanent absentees. Wallenstein's visits to his numerous and scattered possessions were necessarily few and far between; but we question whether any resident proprietor of his day did so much for the welfare of his feudatories and dependants. He entered on the management of his Bohemian estates at a period when a civil war of religion had wreaked its worst

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worst upon the soil. He began by checking religious persecution; he built churches, he endowed schools, he fostered manufactures and agriculture; and labours such as these were never for a moment interrupted by the duties which the command of 60,000 men in the field entailed upon him. Imperious by nature, and despotic by vocation, he was the framer of a liberal constitution, and the organizer of a system of three estates for the government of his little realm. This constitution is directed to be reduced to writing in a letter to his chancellor, dated from Znaim, in March, 1632. It was forwarded to him in his quarters after the opening of the campaign of that year.

The following extracts from Mr. Forster's work will show the zeal and liberality with which he encouraged religious and educational institutions, and the sagacity with which he penetrated the character, and controlled the conduct, of the instruments he was compelled to employ. He had established some of the Augustines at Leippa for purposes of public instruction. The brethren, abusing his munificence, claimed an alleged promise of exemption from certain contributions, which they accordingly withheld. The collector appealed to Wallenstein, who writes in answer :—

'*Ist erlogen.* It is a lie. I have promised them nothing, nor remitted them anything; see that they pay, or stop the funds given for their buildings; for the more they get, the more they grasp.'

In another letter, adverting to the same parties, he says (August 19, 1627) :—

'That the monks at Leipp have within this year applied the 2000 florins, surprises me; I do not doubt that it will turn out they have applied them but to w—s and bad company, as is their wont.'

There follow some minute and business-like directions for the future control of the parties in this matter. With the Carthusians, whom he had also in two localities richly established, he was not more fortunate. Their endowment rested on the interest of money; they demanded a landed foundation, which Wallenstein repeatedly in his letters refuses. In Gitschin he founded two convents for Dominicans and Capuchins, and a Jesuits' College. Nothing escapes his attention. He writes to his principal agent, Taxis, from Segan, June 14, 1628 :—

'I have received the plan for the palace at Gitschin. Now it strikes me that, when I was last in the Carthusian house, the prior's master-mason told me that the cells for the monks were not to be more than 2½ ells in height. It occurs to me that this would be too low.'

He repeats his injunctions on this subject, which seems to have much excited him, and desires, in a letter of August following, that the building may be prosecuted with *furia*. September 13th, he acknowledges receiving two plans for the improvement of

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of the cells, says he is satisfied, and has other things to think of—but returns, nevertheless, to the subject, and gives some minute directions for bas-reliefs and paintings in the said cells.—(p. 36.) The Jesuits were objects of Wallenstein's special bounty, gave him more trouble in return than any of his other protégés, and were watched by him with a vigilant eye, and restrained with a strong hand when they strayed beyond the vocation he had assigned them, and attempted to convert Protestants, instead of instructing Catholics:—

'Could I (he writes to Taxis in June, 1626) be quit of the foundation I made for them for 100,000 florins, I would willingly make the bargain.'

Over the schools for the young nobility, which he placed under their care, he maintained a strict and constant inspection, and his great object appears to have been to prevent the system of instruction from degenerating into a confined and monkish form, but to organize it on a general and comprehensive scale adapted to the purposes of the higher classes. He writes from Egra, August, 1625:—

'I am resolved to place eight or more of the gentry under the Jesuits at Gitschin. See that they ride out with the riding-master once a-week, that they accustom themselves to sit an horse, that they apply diligently to arithmetic, and to some musical instrument. The organist may teach them on his organ, or you may buy them an harpsichord (claricordium).'

His care was not confined to the moral advancement of his young nobility; it condescended to personal externals. He writes, in 1628, from the camp before Stralsund, giving directions for the dress of the students at Gitschin; and adds:—

'See that the Doctor be provided with everything which is prescribed in the foundation for the treatment of the sick, and that what goes out of the apothecaries' store be paid for. And inasmuch as they are wont, from mere want of cleanliness, to come by the itch, see that they be cleaner than before, and him that has the malady let the Doctor treat with baths, and other necessary remedies.'

Wallenstein was much irritated with the ungrateful attempts of the Jesuits to gain over to their own body pupils whom he had destined for other purposes. He writes from the camp at Krempe, 1628, to Taxis:—

'I learn that the Jesuits have talked over Franz von Harrack to join their order; but his father gave him to me to make him, not a Jesuit, but a soldier. It pains me to the heart that they should make me such return of gratitude as this for so many benefits received, and should thus circumvent this unlucky youth.'

He adds the most pressing directions for the immediate removal of the young student and three of his companions:—

'Lose

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'Lose not a minute, for I trust this to you. Whatever my wife may reply, pay it no attention, for she understands nothing of this matter, and it stands on your own responsibility. Keep it quiet, and bring it to bear without the loss of a single hour, for this is my final resolution.'

From Gustrow, May, 1629, he writes to Taxis:—

'Constantine [one of the superintendents of the College] has cut the hair of the youths so short that those who have come here looked like Jews. Give careful attention to all this yourself, and if they will not follow my orders, advise me thereof; as, namely, that the pupils keep themselves clean, attend school early, acquire the Latin tongue, learn in the afternoon to write German and Italian, as also arithmetic, dancing, and the lute.'

In spite of these causes of dissatisfaction, he did not cease to favour the Jesuits; and he took measures, which he perhaps fortunately did not live to complete, for their establishment in Mecklenburgh.

June, 1629, he writes to an agent in Bohemia, from Mecklenburgh:—

'You will see from the appendix what is the petition of the woman Raschimin. Now I have understood, as far as I have learnt as yet from my visits to Bohemia, that it was settled that widows should not be so strictly proceeded against. You will, therefore, see that she be allowed to remain on her property, till the Lord may give her better notions, and she be won to the true faith.'

This injunction is a fair illustration of Wallenstein's general policy in the matter of religion—a policy so diametrically opposed to that of the Court, that its observance certainly did honour to his independence of character, as well as to his heart and understanding. Nor can it be ascribed to mere religious indifference. While he avoided all violent measures, he omitted no opportunity of endeavouring to restore what he considered as the better form of Christianity by milder proceedings. He writes to an agent at Sagan, in 1627:—

'As the time now serves, you may begin to move again for the conversion of the people to the Catholic faith.'

While he declined to win favour at the Court by following the example of religious persecution, he took every measure to create an influence with the Pope. Like other sovereign princes, he maintained a paid agent at the Vatican. Artists from Italy were employed by him in the decoration of churches and chapels, as well as that of his own residences. After the battle at Dessau, he orders Taxis to write to Aldringen to have a copper-plate engraving made of the action, that a painting may be made from it for the chapel. Of his own habits with respect to religious observances there seems to be no record. Four chaplains were on the list of his attendants.

Mr.

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Mr. Forster observes, that out of 150 letters and orders, addressed between the years 1623 and 1632 by Wallenstein to the managers of his Bohemian property, most of them written from the camp, and autographs, there are scarcely more than two which do not advert to some topic connected with the improvement of the soil, or the advancement and welfare of its tenants, in some respect or other. The same activity which we have seen displayed in his military correspondence, amounting, in the case of Arnheim, to eight letters in a single day, distinguishes his communications with his land-bailiffs; and with the same *furia* he repeats in successive letters his orders for the planting of mulberry-trees, the establishment of breweries, mill-forges, powder-mills, and saltpetre-works. The latter items are connected with one of his principal objects, which was to give his subjects a preference, in the great market of the war which he conducted, for the fabric and supply of its articles of consumption. In his batteries at Stralsund, the bullet, the powder, and the gun, were thus furnished from his dominions, and the bread consumed in his camp had been baked in Bohemian ovens.

'You must see (he writes from Egra, August 1625) that fabrics of all descriptions may be introduced into Gitschin, with respect to silk and woollen. In the interval, before the mulberry-trees attain their proper growth, you may import raw silk (seda cruda) from Italy. Hides must also be worked at Gitschin: in short, all arts must be introduced there, by which the town can be peopled.'—(September 25, 1625, p. 55.)

He writes to Taxis—

'I hear with pleasure that the Jew wishes to traffic at Gitschin. Let him, by all means.'—(P. 56).

Matters such as these have somewhat, as is very usual, escaped the notice of the historian and the commentator. The magnificence of his palaces and attendance has found more favour in their sight. Temperate in his diet and simple in his dress, in all those items of luxury and expenditure which less concerned his own person, and the enjoyment of which the rich man must share with others, his habits were indeed princely. His own garments of sober brown or ash-colour distinguished him from the brilliant throng of nobles and gentlemen who were proud to do him service as chamberlains, &c. The arts of the painter, the architect, and the gardener found in him a Medicean patron.

If Wallenstein's correspondence were not forthcoming, it would be difficult to credit the nature and extent of the minutiæ of domestic economy to which his observation descended. His letters on the subject of his breeding studs contain hints worthy the attention of the veterinary college. Cattle, swine, sheep, all are subjected to his directions for their management; and one of his

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his letters makes special provision for the food and exercise of sick capons. Beer is a favourite topic, and his refinement upon it shows how little his intercourse with the world at large, and his acquaintance with foreign countries, had un-Germanized him. In 1630, however, he orders provision to be made at Gitschin of wine of the vintage of that year, being one of great promise, and also of that luxurious appendage to the table, still usual in Austrian Germany and rare elsewhere, the *wermuth must* or wormwood.

For a description of his sumptuous buildings and gardens at Prague and Gitschin, we refer the reader to Mr. Forster's pages. These works of taste and magnificence were prosecuted without remission during his absence on military service, and the artificers were guided and stimulated by the unceasing exhortations of his pen. During his short tenure of Mecklenburgh, he was making every preparation to erect at Gustrow a residence which would have vied with the other two we have mentioned—but here the Swede interposed.

In the management of the expenditure of a court and household, the magnificence of which has been celebrated by every biographer and historian of the time, a splendid profusion was combined with the most searching supervision and the strictest system of record and account. The smallest items of expenditure, with their causes, are noted; as, for example, the *drinkgeld* to the gardeners who sent for the use of the duchess 'to her garderobe some fine sweet blue violets,' and to the vineyard-keeper who at the vine-cutting in spring was ordered (for some medicinal purpose, we presume) to collect in bottles the juice of the white grapes, as also the ashes of the dried and burnt red ones, for the duchess. Expenses for attendance on christenings and marriages of his poorer dependants are numerous:—*e. g.*, to Samuel Smitschka, forester, at his child's christening, 100 florins: to a cup for a present at the marriage of the under-cook, 150 florins. His donations on greater occasions kept pace and proportion with his domestic liberality. When Isolani brought him into the camp before Nuremburgh two Swedish standards, he gave him a repast, 4000 dollars, and a charger. Learning in the morning that Isolani had lost the whole sum at play in the course of the night, he sent him by a page 2000 ducats more. Isolani wished to thank him: he turned the conversation from the subject to that of the reported approach of a Swedish convoy. Isolani took sudden leave, and returned in a few days with the Swedish waggons and 400 prisoners.

Even Wallenstein's possessions could not suffice to furnish so perennial and continuous a flow of pecuniary supply as his habits required; and it must be remembered, that, in addition to that private

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private profusion, the army was frequently supported by advances from his purse. His military and private correspondence equally show that he was frequently in difficulties. These roused his imperious nature to expressions which must have counteracted the natural effects of his liberality and munificence. In January, 1632, he writes to Kunesch, the successor to Taxis, who had been dismissed for malversation—

'You have sent me the amount of 18,000 florins, but you should know that for the ensuing month I must have 36,000 florins. See that the overlookers on my estates collect this, with notice of the remaining contributions, of which some thousands are still outstanding, as also the newly imposed land-tax, and send me the money to Znaim, unless you prefer that I should have the heads of the overlookers first, and then your own cut off; as I see that you look through your fingers at them, and make a jest of my orders.'—p. 113.

This threat, which hardly admits of a literal construction, is frequently repeated. His whole deportment for the last two years of his life is that of a man made irritable by difficulty and annoyance, and both in the army and at home he appears to have sacrificed his personal popularity precisely at the moment when its influence was essential to his existence. This harshness probably assisted the court of Vienna in stifling the voice of sorrow, of affection, or gratitude, the accents of which, had they been elicited by Wallenstein's death, might have resounded, ungratefully to the Emperor, through Europe. That voice was silent; and no hand 'of all his bounty fed' took up the pen to vindicate his memory. We cannot, however, but believe that, if the terror of his bloody doom had not operated to produce this silence, the wailing would have been general among those who were transferred to the care of his rapacious murderers. We hear nothing of manufactures encouraged by Gallas, or schools established by Piccolomini.

We have lingered on these minuter particulars because we consider them as throwing a new light on one of the most remarkable characters in modern history. If the course of his troubled destiny had allowed him to lay deeper the foundations of his power, he could hardly have failed to become the Mehemet Ali of Bohemia. The readers of Marshal Marmont's Travels, lately published, will understand this allusion. We cannot but fear that, in the case of modern Egypt, the improvements introduced by the Pacha may be as dependent on the life of their author as those of Wallenstein, and that the wheels of his factories will stop on the first derangement of the despotic engine which now gives them motion.

We can assure Colonel Mitchell that it is neither from disrespect

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respect nor ingratitude that we have been led to bestow on Mr. Forster a larger share of our attention than on himself. In our judgment he has executed with eloquence, ability, and good taste, a task for which his studies qualified him, and one congenial to an honourable mind and an honourable profession. Failing more active employment, as for the sake of Europe we hope it may, we trust that he will continue to make the most of the advantages which, as a soldier and a scholar, he possesses, and resume his researches in the history of the country and the period to which his studies and his observation have been specially directed.* There are but few passages of his work with which we are disposed to quarrel—but those we have no doubt whatever are favourites of the author, as embodying peculiar tenets of his own. The Colonel evidently ranks the bayonet with the toasting-fork as a weapon of offence. This may be a sound conclusion, but we think that a theory so likely to be disputed is ill placed where it cannot be argued. His low appreciation of Buonaparte's military talent appears to us unsound and paradoxical. That the Colonel will not abate a jot of his expressions in deference to us we are satisfied, and equally so that he is prepared to receive as a compliment the stronger vituperation which they will call down from French commentators. We think, however, his proposition indefensible and the sentence unjust. The time is perhaps hardly yet arrived when Napoleon's military reputation can be weighed in an impartial balance, and when a just estimate can be drawn of his performances as compared with the resources at his disposal at the various periods of his career. Great as those were, we still believe it will be found that something beyond accident placed them at his disposal, and that there was greatness in the application. The subject, however, is a wide one, and having discharged our critical functions by touching the Colonel on the two points on which he probably considers himself as least assailable, but on which others will surely assail him, we conclude with thanks for his labours and our best wishes for their success.

ART. VIII.—*Memorials of Oxford.* By James Ingram, D.D., President of Trinity College. The Engravings by John Le Keux, from Drawings by F. Mackenzie. London. 1837.

WE have, placed at the head of this article, one of the most beautiful and interesting illustrations which has yet been published of the external appearance of the University of Oxford.

* The lives of Bernhard of Saxe Weimar, or Torstensohn, would be fit subjects for his pen.

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It contains some valuable historical sketches by the President of Trinity College, and will supply a very useful and pleasing introduction to that more serious consideration, which, in the present state of the country, that great University well deserves.

To a thoughtful eye, even external appearance is very full of meaning. And there can scarcely be a contrast more pregnant with serious reflection, than is presented by a rapid transition from the Metropolis to Oxford. It must be familiar to every one who has travelled in England. London itself is one of the most remarkable phenomena in the world. Its vast size, its dense population, its boundless and multifarious wealth lying open in the midst of want and vice; the splendour of its palaces contrasted with the misery of its hovels; the eager restless faces, marked deep with anxiety or vice, that throng its streets; its crowds, where each man is unknown to the other, and every one is struggling to rise upon the shoulders of his neighbour; even the daily supply of its public wants, secured with a wonderful accuracy, through the instinctive rapacity of private selfishness—altogether form a spectacle of melancholy and painful interest, most fit to prepare the mind for receiving deeply the impressions produced by the sight of Oxford. From noise, and glare, and brilliancy, the traveller comes upon a very different scene—a mass of towers, pinnacles, and spires, rising in the bosom of a valley, from groves, which hide all buildings but such as are consecrated to some wise and holy purpose.—The same river which in the Metropolis is covered with a forest of masts and ships, here gliding quietly through meadows, with scarcely a sail upon it—dark and ancient edifices clustered together in forms full of richness and beauty, yet solid as if to last for ever; such as become institutions raised not for the vanity of the builder, but for the benefit of coming ages—streets, almost avenues of edifices, which elsewhere would pass for palaces, but all of them dedicated to God—thoughtfulness, repose, and gravity, in the countenance and even dress of their inhabitants; and, to mark the stir and the business of life, instead of the roar of carriages, the sound of hourly bells calling men together to prayer.

And the contrast would be still more striking, and the comparison more just, if, before the traveller entered Oxford, he could be carried from the splendour of London, through some of those vast manufacturing towns, which in reality constitute its suburbs, and supply the wealth which it displays at the cost of men's bodies and souls. Birmingham and London are separate indeed locally, but they are one city, a city of Mammon. And to see the whole mystery of the Metropolis, we should place by the side of its shops, and in the midst of its parks and squares, the miserable lanes

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lanes and hovels, the noisome factories, the filthy atmosphere, and the squalid degraded population, from which England and the Metropolis of England draw their boasted treasures. It would be a very touching and a very humbling sight—but men would then understand better the contrast between a city in which wealth is created for man, and one in which it has been lavished, and still is expended, for God.

And they might also understand something of the pain which all who know the University of Oxford, and can appreciate what she has done, and is doing for this nation, feel, when they hear the calumnies with which she has been assailed, and the rash or evil projects of change which are thrown out to destroy her institutions.

The present age has been very rightly named the age of faithlessness. Its great maxim is distrust. Its great wisdom, suspicion. If an institution exists, the inference follows that it is abused; and if abused, it ought to be destroyed. And as unreasonable suspicion of others is always joined with overweening confidence in ourselves, the same men who deny the possibility of wisdom and goodness elsewhere, claim to themselves infallibility, and run up new systems with as much presumption as they destroy the old. In such eyes, if power is conferred, it must be crippled and paralyzed by restrictions. If a trust *must* be reposed, it is stigmatized by setting over it a spy. No truth is to be admitted without demonstration. No man to be believed without his witness.

This principle has been gradually admitted into our practice, until the legislature has assumed, as a necessary duty, the task of scrutinizing and rearranging every institution in the country, whether public or private; and all parties seem tacitly to have acquiesced. Very few, if any, have arisen in either House of Parliament to remonstrate against this restless, mean-spirited jealousy, as itself disgraceful and vicious; as irritating and degrading those who are to govern; as provoking those who are governed to despise and rebel against their institutions; and, therefore, as destructive to society. And such is the prevailing confusion in the notions of power and right, and the omnipotence of parliament has become such a favourite axiom, that men are quietly permitting a tyranny of the very worst kind to establish itself over their heads, under the vague idea of rectifying abuses and introducing improvements.

This is one point of view in which all men ought to regard the late threats in the legislature respecting the Universities of England. Those who are interested in their welfare, and understand the importance of their position in reference to the Church

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Church and the country, may take other and even higher views. But there is a plain simple ground of constitutional law, in which every man is interested alike—which is intelligible and applicable to all—and on which the battle ought to be fought at the very first onset. Concede this, and even though victory be gained, victory will be ruinous. No immediate advantage whatever can compensate for the abandonment of a principle. And, therefore, in the attack with which the Universities of England have been threatened, no ulterior defence should be attempted, without boldly, and to the last, maintaining this great outwork; that the *collegiate bodies* into which the Universities are divided, are, in the strictest sense, private, independent, irresponsible corporations, amenable to none but their several visitors, and placed by the laws of England, like private individuals, and private property, under the protection of that great maxim—that every man's house is his castle; and that the Universities themselves, though deriving their existence more immediately from the crown, are by the fundamental axioms of the constitution secured against all interference, except such as the courts of law may exercise on allegations of distinct abuses. The Universities and their defenders seem not to be aware of the real strength of their case. But a little research will place it beyond doubt.

When this has been done, and the Universities have intrenched themselves in this impregnable position—from which nothing can force them but an act of tyranny in the legislature, too gross not to be felt and resented by every man who possesses a home, which may be violated under the same pretence of reforming abuses—then steps ought to be taken to satisfy the country by a free act that no such abuses exist in the collegiate bodies, as bad men are in the habit of suspecting wherever they are not allowed to pry into the management of affairs. It is lamentable to think how much of the mischief which has been done within the few last years to the institutions of the country has arisen from a tacit acquiescence in calumnies. Accusations have been made so publicly and so pertinaciously, that the few persons who were conscious of their falsehood have scarcely dared to attempt their refutation. Others, satisfied with their own innocence, will not condescend to defend it. Others begin to think that even the existence of suspicion is a proof of guilt. Some are too indolent, others too timid; others despair of removing prejudices which are evidently fostered by hopes of gain. And thus, not in one case but in all, the men who calumniate most have been thought most honest; suspicion has been thrown upon all the best parts of our social system; and in the clamour and turbulence of passion we have seen one thing after another swept away, with scarcely a voice raised

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raised to save it; until too late it has been discovered that either the abuse did not exist, or might have been remedied by a far safer process than destruction.

We propose, therefore, to make a few observations on the present state of the University of Oxford, in reference to the principal calumnies with which it has been lately assailed. It is better to confine attention to one university at a time, because Oxford and Cambridge differ materially in several parts of their systems. To enter into a comparison between them would involve many serious questions connected with the theory of education, and which, particularly at the present time, require to be discussed. But to those who are interested in the fate of these great institutions, there is an object much more pressing, in the removal of some notorious errors and prejudices which have been designedly fostered against them, and which must prevent any dispassionate examination of deeper questions. We shall, therefore, make no apology for touching severally upon some of these points, and meeting them by a simple statement of facts.

The first charge, then, which is made against the University of Oxford, and from which Cambridge is very often exempted, is that of a blind, bigoted adherence to old institutions. Bigotry is a hard word, and in the present day a very common word; but the answer to such an accusation is, not to deny a reverence for antiquity, or a firm unshaken confidence in fundamental truths, but to distinguish between a blind, thoughtless, violent maintenance of doctrines and practices, and an attachment to them equally firm, but sanctioned by reason. All belief in truth is, at the present day, stamped as bigotry, and under such a maxim the University of Oxford must be bigoted. She maintains, and has maintained for centuries, the great truths of Christianity as the foundation of all her system. She has adhered unshakingly to the Catholic Church in her worst perils: she has not departed from old ways and hereditary principles, as if everything true was new, and everything new was true: she has supported old forms of government as sanctioned by God, while others are the creation of men, and not of the best of men: she restricts and regulates her teaching by old maxims of education, as supported by the authority of experience: she employs old writers to discipline the minds of the young, and old institutions to overrule their natural petulance and conceit. And all this has been done firmly and unhesitatingly, without any profession of distrust in the wisdom of the course, or any avowal of a wish to change for the sake of change. In this sense of the word bigotry the University of Oxford is bigoted; and it will indeed be an evil day to the country and to the Church when she ceases to be so. It has been shown

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on many past occasions. It was this bigotry which justified one of the greatest men of the thirteenth century, Grostete Bishop of Lincoln, even at that early period, in declaring with all the bishops of England in opposition to the pope's legate, that the University of Oxford was 'Secunda Ecclesia,' the Second Church. (Wood, Annal., book i. p. 227.) In the same conviction, not many years after, Henry III. was warned by one of his most learned subjects, Matthew Paris, 'that if the University of Oxford be troubled and molested, being the second school of the church, yea, the fundamental base thereof, it is greatly to be feared, lest the whole Church do fall and come to a general confusion. Whereunto the king made answer, God forbid it should be in my time.' (Matthew Paris, Chron. Ann. 1257.) So in the fourteenth century, at the very height of the Romish tyranny, instead of stifling and opposing the reformation of religion, as Her Majesty's Prime Minister ventured recently to assert in the House of Lords, it was in Oxford that Wickliffe taught and was protected; and when the Pope sent to them, 'rebuking them sharplie and imperiouslie, and like a Pope, for suffering so long such doctrine to take root, the proctors and masters of the Universitie, joyning together in consultation, stood long in doubt, deliberating with themselves, whether to receive the Pope's Bull with honours, or to refuse and reject it with shame. And when, in 1380, the seal of the Universitie was put to an edict against Wickliffe, the act was that of a "few monastic doctors," and was abundantly cancelled by the public testimonial in Wickliffe's favour given in 1406, which, notwithstanding the doubts that have been cast on it, is known to have fully accorded with the sentiments of the University at large.' (Life of Wickliffe.) Still later, when Henry VIII. endeavoured to extort from the University its judgment in support of his divorce, and, in the quaint words of Wood, 'the foreign Universities had given answers agreeable to the king's desire; Oxford, the prime University of his own kingdom, durst so resolutely oppose and cross his designs after so many thunder-claps of his displeasure, that it had been enough, if our famous University had not been consecrated to eternity, to have involved our colleges among the funerals of the abbeys. Who could imagine,' he proceeds, 'after two several denials to two several letters of an angry king, but that the third should have taken away their heads that durst deny the king the service of their tongue?' And when at last the judgment was obtained, it was extorted by a violent interference with the constitution of the University, and passed surreptitiously at night, amidst open and fearless remonstrances. (Wood, book x.)

Still later, in the words of Clarendon: 'When the parliamentary commission,

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commission, in 1649, was sent down to visit the University, and enforce the taking of the solemn league and covenant, the whole body of the University was so far from submitting to it that they met in their convocation, and to their eternal renown—(being at the same time under a strict and strong garrison put over them by the parliament, the king in prison, and all their hopes desperate) —they passed a public act and declaration against the covenant, with such invincible arguments of the illegality, wickedness, and perjury contained in it, that no man of the contrary opinion in the assembly of divines (which then sat at Westminster, forming a new catechism and scheme of religion) ever ventured to make any answer to it; nor is it indeed to be answered—but must remain to the world's end as a monument of the learning, courage, and loyalty of that excellent place, against the highest malice and tyranny that were ever exercised in or over any nation, and which these famous commissioners only answered by expelling all those who refused to submit to their jurisdiction, or to take the covenant; which was upon the matter the whole University, scarcely one governor and master of college or hall, and an incredible small number of the fellows or scholars, submitting to either.'

To give one more familiar instance:—it was the firm, and what this age is bound to call the bigoted resistance of a college in Oxford which, under the blessing of God, saved this country from the re-establishment of Popery by James II.

'This act,' says even Hume, in very memorable words, in allusion to the expulsion of the Fellows of Magdalen College, for refusing to elect a Popish President in violation of their oaths—'This act of violence, of all those which were committed during the reign of James, is perhaps the most illegal and arbitrary. When the dispensing power was the most strenuously insisted on by Court Lawyers, it had still been allowed that the statutes which regard *private property* could not legally be infringed by that prerogative. Yet in this instance it appeared, that even these were not now secure from invasion. The privileges of a college are attacked; men are illegally dispossessed of their property for adhering to their duty, to their oaths, and to their religion; the fountains of the Church are attempted to be poisoned; nor would it be long, it was concluded, ere all ecclesiastical as well as civil preferment would be bestowed on such as, negligent of honour, virtue, and sincerity, basely sacrificed their faith to the reigning superstition. Such were the general sentiments; and as the Universities have an intimate connexion with the ecclesiastical establishment, and mightily interest all those who have there received their education, this arbitrary proceeding begot an universal discontent against the King's administration.'

And in still more recent days, within our own times, the same firm voice has been raised from the University of Oxford—raised in the midst of popular outcry and menace, and raised too often

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in vain, to warn the country against measures which all men, whose eyes are open, now see to have been pregnant with mischief. She petitioned to the last moment against the repeal of the Test Act, as the beginning of concessions which could only end in unchristianizing the legislature. And such it has proved to be. She remonstrated against the emancipation of the Romanists, as an encouragement to Popery and a blow to the Protestant Religion; as dangerous under any safeguards, because oaths were not binding upon Romanists. And this no one will now dispute. She objected—not to Reform—but to the Reform Bill, as opening a door to democracy far wider than justice or expediency required, and one which could never be closed. In this even those who introduced it are at length agreed. And when, within her own walls, it was proposed to exclude religion from education, by the admission of Dissenters, two thousand of her principal members came forward to declare that 'they would continue their present system of religious instruction, as essential to all education, and would to the utmost of their power maintain the same inviolate.' And now the London College, and the University of London itself, have made the same declaration; the one by building a chapel, the other by insisting on some portion at least of Theology as a necessary element in its examinations.

In all this steady adherence to principle in the face of clamour, if anything is to be called bigotry, much also is to be called honesty, prudence, humility, wisdom, and self-denial. There is no blindness; because reasons, and reasons which now few men will deny to be just, have been alleged for all the proceedings. There is no persecution; unless to assert the truth, to condemn error, and to protect her own institutions from being made the channels of error, be persecution. And there is no violence. The University has not taken the lead in any merely political manœuvres, nor attached herself to a political party. Her principles have been supported by a party in the State; and so far she has acted with them. But her own duty has been to maintain truth, and leave the rest to Providence; and such must be still her course. And it is a blessed thing for this country, that, amidst the angry passions, and fretful hopes, and ungovernable fancies, which are raging all around us, when our ignorance has drawn a cloud between us and the past, and we see no firm ground but that on which we are treading, and even that is shaking under our feet, and theory after theory is sweeping past us, and bursting in succession before our eyes—it is well that there should be some one place fenced round with chapels and with cloisters, where some few men may live and die removed from all this giddiness and din—to preserve even the name of truth,

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truth, and the memory of the past. And though their voice cannot penetrate into the tumult of the world, or is heard feebly and with ridicule; still it is a warning to the many, and a blessing to some few to be reminded, that if there is a future before, there is also a past behind us—that if some errors have come down to us from our fathers, so also have many truths—that if liberality be a virtue, so also is justice—that if doubts cannot but arise, belief ought also to be cherished—that loyalty and obedience are as much duties as liberty is a right—that perpetual change is not necessary even to common life, nor common life necessary to human happiness and goodness. Men cannot steer at sea without some fixed point, nor act in their daily dealings without some undisputed law, nor even move their limbs without an unshaken ground to rest on; and in morals, and education, and religion, the same provision is required; and something which sounds like bigotry, something old and obsolete, and strange to ears that are full of novelties, must be somewhere preserved in a nation, or the nation will perish. We may thank God by whose providence such a resting-place and sanctuary has been built up in the institutions of our national Universities; and Oxford may thankfully bear the ridicule and calumnies of the world, if she can only maintain her trust, and hand it down uninjured to posterity.

It is very true indeed that this maintenance of antiquity may be carried too far. It may require at times to be modified to meet a change in external circumstances. Not that principles themselves can be modified—as weak, wavering, double-dealing men are apt to imagine; for truths are perfect in themselves, illimitable, and immutable. If they are right, they must be kept—if wrong, abolished—whole and entire. But the circumstances to which they are applied may change, and a new machinery may be required for carrying the same principle into practice. A man loses his limb, but he still employs precisely the same powers of motion, though he substitutes an artificial leg. He is thrown into the water, but, though he swims instead of walks, he is supported by the same law of gravitation. So when laws become obsolete, they are not to be cast away as useless—but the spirit is to be kept unaltered—the framework newly refitted. And to deny the necessity of this process, though it is far less needed than indolent, thoughtless men are inclined to assert, is indeed bigotry; and to prohibit such reformation is as mischievous as it is foolish. Some such folly in the University seems to be very generally suspected. It is supposed, apparently, even by men who are in a situation to know better, that the academical system has continued from time immemorial in the same state as when it was first constituted; that it is now lying under the burden of a vast

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heap of undigested and obsolete laws; and that no light has ever been allowed to penetrate into those haunts—we use the language of the day, and even of men who should blush thus to pander to the laughter of a mob—'those haunts of cloistered bigotry and monkish superstition.'

Are these men aware—have they ever inquired—what the University has been doing since the middle of the last century? We do not go farther back into times when Oxford was recognised by all as the '*alterum lumen Angliæ*,' and the glory of the Church —times in which all her goodness may be traced to herself; and whenever studies declined or corruptions crept in, it was through some external interference such as now is threatened. We have before us a view of the legislation of the University within the last eighty years, commencing long before the cry of reform was heard elsewhere—and conducted regularly, diligently, and carefully, with so much moderation, that men have been wholly insensible to the magnitude of the changes; and so supported and preceded by the best of all reforms, the reform of men's lives and conduct, that the laws have always followed in the rear of practical improvement. It will sound very strange to many to be told that, although the University has possessed, since the time of Laud, a very admirable systematic code compiled from the ancient statutes, not contented with adhering blindly to this, it has, since 1750, scarcely allowed a year to pass without some plan or proposal of a plan for amending, enlarging, consolidating, or correcting them. No less than thirty-four distinct measures, some of them of considerable magnitude, requiring great time for discussion, have been passed within the period alluded to; and passed with so much care and deliberation, that they have been constantly sent back from the House of Convocation to be amended or remodelled, until the difficulty of obtaining the consent of that assembly has become almost proverbial. When it is remembered that the proposals for these measures have originated, not as in other legislative bodies, from the motion of individual members, but from the general feeling of the University—that great difficulties are very wisely thrown in the way of public discussion—that conscientious men naturally pause before they act, particularly in matters affecting education and religion—that the original laws are admirably wise and good in all their principles—that, after all, the legislation of the University cannot be very extensive—and that its extent would only prove the magnitude and multiplicity of evils to be remedied, not of advantages secured—it will probably be allowed that this measure of change is as much as any wise man would wish to see attempted or completed—that it fully vindicates the University from

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from the charge of sleeping at her post upon a heap of obsolete statutes—that it relieves her still more from the suspicion of rash and thoughtless innovation—of indulging in that passion for heedless law-making which is the surest proof that can be given of folly in the governor, and of evil in the governed—and which is nowhere so dangerous as where the minds of young men are to be trained in fixed principles, and in respect and obedience to their instructors. 'Corruptissima respublica, plurimæ leges.' The next charge made usually against the University, is the defect of its professorial system; and it contains two distinct questions. One, how far the professors themselves discharge their duty. The other, how far instruction should be carried on by professorial teaching. To the former, the answer is very short. The University at the present time contains twenty-seven endowed chairs: three in Medicine; two in Divinity, in Law, in History, in Natural Philosophy, and in Arabic; one in Poetry, Moral Philosophy, Geometry, Music, Political Economy, Botany, Chemistry, Geology, Mineralogy, and Astronomy; and for languages, in Hebrew, Greek, Anglo-Saxon, and Sanscrit. To those who are accustomed to hear of the magnificent endowments of Oxford, it will sound strange that, with the exception of a few chairs to which canonries or stalls have been attached, the salaries of the rest are for the most part from 30*l.* to 100*l.* a-year: that consequently they can serve as little more than honorary retaining fees. If not many lectures were delivered, there could be no great cause for complaint. But it will sound more strange, after the bold assertion so often made of the inactivity of the chairs in Oxford, that of the twenty-seven professors, only five can be found who are not regularly in the habit of lecturing either to public or private classes—or if they are prevented, it is only from the want of students pursuing a particular branch of science at particular times. The evidence of this fact is to be found in the proposals for lectures publicly circulated at the beginning of each term. Of the five professors who do not lecture, one is Dr. Gaisford, the Professor of Greek, a man who by his laborious and indefatigable publications contributes more to the interest of the Greek language, and to the honour of the University, both in England and abroad, than any scholar of the day. It might, perhaps, be wished, as a matter of form, that a few public lectures were delivered by him. But who would wish to withdraw his attention from those critical works which no one can so well execute as himself, to the grammatical instruction of students, which is carried on far better by tutors? Of the others, one is now advanced in years; another, a very eminent man, is Professor of Civil Law, the studies in which science have long been transferred

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ferred to London; and another is Dr. Crotch, the Professor of Music, and Author of 'Palestine,' whose salary, we believe we may say, is purely honorary, and who is never absent from the University when there are occasions for his public services, and whose lectures are certainly not necessary in the general education of students. Of these twenty-seven professors, twenty-three have contributed, in some way or another by their publications, to the literature of their country. Among them the University possesses at the present time—one of the very first Greek scholars in the world, Dr. Gaisford—by far the most eminent Sanscrit scholar, Professor Wilson—the head, we may venture to say, of the Geological school, Dr. Buckland—the first Musical Composer in England, Dr. Crotch—the Author of the most extensively circulated poems in the present day, Mr. Keble—Dr. Pusey is her Professor of Hebrew—Dr. Kidd, of Medicine—Dr. Daubeny, of Botany—Professor Rigaud, of Astronomy—Dr. Phillimore, of Civil Law—Mr. Powell, of Geometry. Mr. Senior and the Archbishop of Dublin were within a few years successively her Professors of Political Economy—and little as the University may value such a branch of study, or think it worthy the name of a science, she intrusted it to men whom her adversaries will probably be the last to decry. And with respect to the Physical Sciences, we gladly quote the testimony of a contemporary which cannot be suspected of partiality.

'We cannot conclude,' says the Edinburgh Review, in a recent article on Professor Rigaud's Life of Bradley, 'without expressing to the University of Oxford the gratitude which every astronomer must feel for its liberality in publishing so expensive a work, and illustrating it with so many interesting embellishments. Distinguished as Oxford has been among the Universities of Europe, and as the seat of classical and ethical learning in England, it has not been wanting in its contributions to the mathematical and physical sciences. If it cannot boast of a Newton, it can yet marshal the names of Briggs, Wren, Halley, Ward, Gregory, Keith, and Bradley. Even now, when science has been gradually decaying in many of the other Universities of Britain, it has been throwing out new and vigorous shoots on the banks of the Isis; and by the genius and learning of such men as Buckland, Rigaud, Kidd, Daubeny, Powell, and others, the tide of discovery, which in obedience to its primordial law has been quitting our eastern shores, may be arrested in its westward course, and bear to the city of palaces some of its choicest and proudest gifts.'

This, perhaps, is a sufficient answer to the idle and ignorant assertions which represent the professors of the University of Oxford as indolent in the discharge of their duties, and occupying no high place in the literature and science of the country. That every department is complete no one will assert. But where defects

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defects exist, they exist chiefly from the want of endowments. To judge fairly of them men should look to the advance which has taken place within the last half-century, by the spontaneous action of the University, and long before any movement took place in the country at large. And if no rash violence interferes, the same spirit of quiet and substantial reform will soon be able to accomplish what none so anxiously desire as those most unscrupulously calumniated as the bigoted opposers of all improvement, and the University will be elevated soon to the head of every province of knowledge.

But, indeed, the real source of these calumnies lies far deeper —partly in ignorance of the real position intended to be occupied by the professor's chair, and partly in a desire to revolutionize a system of education which, more than anything, has tended to form the young men of this country to sound, sober, loyal, and religious habits; and which, therefore, must be destroyed if the institutions of the nation are to be overturned.

It may seem, at the first sight, a very insignificant question of national education, whether University professors or college tutors are to instruct young men: but a little thought will show that its consequences are very serious, and well deserve much more consideration than they have yet received. Merely as a matter of history, it is remarkable, that a tutorial system of education has always been connected with monarchical principles and institutions—a professorial system almost always with a democracy, or a leaning to the doctrines of democracy.

In the first place, then, when comparisons are drawn between German and English professors—and the former are seen lecturing to crowds of students, while the latter, for the most part, can scarcely obtain an audience, either in Oxford, or, as Mr. Whewell himself states, in Cambridge—the comparison is wholly irrelevant. It should, in reality, be made between the public lecture-rooms in Germany, and the college lecture-rooms in England; for the college tutors in England are the persons to whom the Universities delegate the office of immediate instruction. Place these side by side, and it will soon be seen which system has the advantage; we do not say at present which produces the most eminent teachers—but which contributes most to regular activity, industry, and improvement in the students.

Two things are necessary in education—knowledge to be infused, and habits of mind to inbibe it; and two persons also are required—one to supply the knowledge, the other to inculcate it. In Germany these persons are united in the professor. They, for the most part, form their own theories, and teach them likewise: or rather, they give them vent before their pupils; but whether they

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they are duly received and digested, understood or misinterpreted, it is wholly beyond their power to ascertain—and, perhaps, is of very little consequence. In our English Universities, and especially in Oxford, the existence of colleges has enabled them to separate the two duties. The tutors are employed in conveying the knowledge—and the knowledge itself is supplied from far higher, and safer, and better sources. It is not the theory of the day, or the whim of any ambitious speculatist, which is allowed to be placed before students, as fit nutriment for their minds, without the sanction of experience, or any trial of its correctness—but the great standard works of literature, in history, poetry, philosophy, and theology—Aristotle and Plato, Thucydides and Herodotus, Æschylus and Aristophanes, Cicero and Demosthenes—are the real professors of the English Universities; and whenever, in any branch of study which falls within the academical course, a book has been recognised as a standard authority, it is admitted upon the same principle. We have, indeed, nothing comparable to classical writers either in poetry, oratory, or history; and, therefore, although modern illustrations are brought to bear upon the ancients, modern history and poetry are not encouraged in a preparatory course of education. But in divinity a much wider range is opened. We have before us a list of college lectures, which comprises not only the Old and New Testament, but Butler's Analogy, Paley's Evidences, his Horæ Paulinæ, Graves on the Pentateuch, Mosheim's Ecclesiastical History, Pearson on the Creed, Bingham's Ecclesiastical Antiquities, and several other authors, which are standard authorities in theology; and surely these names and writings are far fitter to form the fundamental notions of young men than any casual unproved theories of the professors of the day. It is, in short, the great principle of the English Universities that instruction should be conveyed by lecturing upon books, and thus that their students should be saved from being led away by men. How little is understood of the real principles of the Universities by those who are most virulent in abusing them, is evident from this very fact. They uphold, it is said, the almost exclusive study of classical antiquity, and discourage new theories from their own professors, in order to enslave the mind to a thoughtless admission of received doctrines, and a bigoted subjection to their teachers. Quite the reverse. The very object of selecting ancient, and particularly Greek writers, is to accustom the mind to think, and reason, and judge for itself, so far as judging for itself is not folly—by familiarizing it with the highest and most perfect forms of human rationalism, thrown out boldly, and almost recklessly, in an age when man had contrived to cast off every check of authority,

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rity, and by intellects full of energy and power. And books are selected instead of living theorists, for the very purpose of preventing that ready servile submission to authorities to which young minds are prone, and from which they can scarcely escape when they receive doctrines from the lips of their authors, full of animation and interest, and supported by all the moral influence inseparable from the position of a teacher.

It is the great work of intellectual education to invigorate the faculties, to make the mind free, active, and independent of all influences but those of truth and goodness; but place it in the hands of a professor; to be imbued successively with some new doctrines of the day—taught to look up to him as its supreme authority, and not to books of a past age, which have been criticised and corrected, and which present doctrines to the mind without any external fascination—and it will infallibly sink into a slave, unless it has sufficient vigour to become a rebel. And the history of Germany, and of our own Universities, before the rise of the tutorial system, even guarded as they were, will show that the natural tendency of professorial teaching is to create in the majority of students a blind, bigoted adherence to half-concocted and half-understood theories, and for the persons of the theorists themselves a veneration no less strong than the dark ages, as we presume to call them, entertained, from precisely the same cause, for their 'subtle, angelic, and irrefragible doctors.'

Upon students, indeed, of a bolder kind, a very opposite effect is produced; and we gladly quote from Mr. Whewell's late 'Remarks on the Principles of English University Education,' a passage which, though intended by him to illustrate the evil of making philosophy the basis of education, illustrates still more the real cause of that evil, and the mischief of an unrestrained professorial teaching:—

'I conceive,' he says (p. 47), 'that the mind of a young man employed mainly in attending to teachers of this latter kind, tempted by their dependent position to think more of novelty than truth, and unrestricted in the foundations of their theories—that such a mind must fail to acquire any steady and unhesitating conviction of the immutable and fixed nature of truth. This constant change in the system of received doctrines must unsettle and enfeeble his apprehension of all truths. He has no time, he has no encouragement, to take up the doctrines which are placed before him, and to study them till he is firmly possessed of them, secure that their certainty and value can never alter. He lives among changes, and has not the heart to labour patiently for treasures that may be ravished from him by the next revolution. The state of Germany, for instance, has of late years been as unfavourable to the intellectual welfare of its students, as the condition of the most unstable government of the East is to the material prosperity of its subjects. A great

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great philosophical conquest is made by Kant, and a universal empire is supposed to be on the point of being established. But Fichte, who began with being a follower of Kant, ends by deposing him. Schelling carries away the allegiance of Germany from Fichte; and then Hegel becomes more powerful than any of his predecessors; and a younger Fichte raises the standard against all these rulers. Now, amid all this change, and fear of change, how can any man eat tranquilly of the fruit of his own field under his own vine and fig-tree? How can he cultivate his own thoughts, and possess, in a tranquil and even spirit, the knowledge and the habits of mind which he has acquired? He cannot feel or relish old and familiar truths. He becomes almost irresistibly [Mr. Whewell might have ventured to say, inevitably] a wide and restless speculator, criticizing what has already been done in philosophy; attempting to guess what will be the next step, and destitute of those clear ideas, and those habits of exact thought, through which alone any real advances in knowledge can be appropriated. Again, another mode in which this system of teaching operates unfavourably upon students is this: it places them in the position of critics instead of pupils. In mathematical and other practical teaching, the teacher is usually much the superior of his scholar; and the scholar cannot but feel this, and must, consequently, be led to entertain a docile and confiding disposition toward his instructor. On the other hand, when a system is proposed, which offers its claims to him, and asks his assent, which he may give or refuse, he feels himself placed in the situation of an equal and a judge with respect to his professor: and if, as is very likely to be the case with active-minded young speculators, he goes through several phases of opinion, and gives his allegiance to a succession of teachers, he can hardly fail to look upon them with a self-complacent levity which involves little of respect. Now, this want of docility, confidence, and respect, when it prevails in the student towards his teacher, cannot, I think, be looked upon otherwise than as a highly-prejudicial feeling, and one which must destroy much of the value and usefulness of the education thus communicated.'

We trust Mr. Whewell will forgive us for applying these just remarks to a principle different from his own, but to which they are more appropriately directed. In fact, they are the more interesting as being merely an expansion of a short statement made by a Greek historian, Diodorus Siculus, respecting the comparative experimental results of Greek teaching by professors and Oriental instruction by tutors. It was not, however, the study of philosophy, but the mode of teaching it, unrestricted to any rules, and unprovided with any fixed, definite, fundamental system, which caused the decay of intellect in the schools to which Mr. Whewell alludes. And where, as in Oxford, provision is made for the regular and docile study of a fixed theory, no such evil has been felt. This is the true reason for making the ethics of Aristotle the basis of the Oxford education. And if ever this basis be removed,

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removed, or gives way to the inculcation of general theories of ethics, the effect will soon be felt in every part of the country, in the loss of that quiet but active, thoughtful tone of mind which it is the great boast of her system to form.

But the tutorial system is founded upon another principle, also of the first importance, though opposed directly to a vague but common notion of the present day respecting human reason. The English Universities do not suppose that young men will learn what it is good for them to know without something like compulsion—that the mind can be filled with knowledge by simple infusion, as water is poured into a bucket—or that it is enough to fix students in their chairs before a lecturer, without a catechetical teaching to explain, inculcate, and examine. They know also that public professors can do little or nothing more than deliver their lectures, as may be seen in the evidence lately given on the state of the Scotch Universities. Their classes are supposed to be large: individual characters and even names are unknown to them; no opportunities are allowed of private communication either before or after; and no means exist of stimulating industry and rousing thought by all those little acts of discipline which are familiar to an intelligent teacher personally acquainted with his pupils, interested in their success, and intrusted with their general management. They cannot enforce attendance, much less attention. And thus the voluntary principle is introduced into education, with scarcely less startling absurdity than it is forced into religion. As the teacher is for the most part selected by the pupil, as he cannot punish, must be cautious not to offend, and must study to please rather than control, the youth is left to himself, and no course of study can be forced upon him. He may take up some favourite branch, and pursue it with avidity; but such caprices cannot be calculated upon; and if he is to be attracted, it must be by some paradox, or extravagance, or novelty—something which flatters the necessarily wrong taste of an imperfect mind, instead of standing over it to control and oppose it. There can be little doubt that what young men do learn under a professorial system they imbibe with more eagerness, and follow up with more rapid success, than in the Universities of England, because it happens to fall in with their own tastes. But the real question is, how much they do *not* learn which ought to be forced even upon unwilling minds; and how much their real mental character, however brilliant in some one point, falls short of that general cultivation, that firm, temperate, and matured tone, which after all is the perfection of human reason for all practical purposes of life, and which it is the great object of education to produce.

These are a few of the reasons why a good tutorial system is far

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far better adapted to the purposes of instruction than a body of Professors. It may be added, that although it is impossible to have tutors too deeply versed in the subjects which they teach, and some mixture also of instruction very much facilitates right habits of study, still there is a wide difference between the qualities of mind required for discovering truth and those necessary for communicating it to others. Tuition by a bold, speculative character, will end in the encouragement of a rash, theorizing temper, instead of diligent, patient learning; and, when stripped altogether of the power of original speculation, it becomes laborious and wearisome. Those, therefore, who are to be employed in extending the range of science, and providing materials for study, should for the most part—not wholly—be emancipated from the task of direct instruction; and those who instruct should in a great measure be restricted in the licence of original theories;—one class should provide the seed, another cultivate the ground. And this will probably be allowed. And still it will be urged that neither of these duties are at Oxford competently discharged. The Professors, it is said, and others who ought to lead and extend the literature of the country, do nothing; and the tutors are wholly unfit even for the drudgery of teaching. Undoubtedly this language proceeds from those who show by their other observations that they know little of the state of the University, and are very unfit to interfere with its improvement; but it has its weight and should be answered.

In the first place, then, whether the Professors themselves are eminent in their several branches may be judged from a former statement; and whether the University at large acts forcibly and as it ought upon the intellectual character of the country, is to be estimated not so much by the works which proceed from Oxford as a locality, as by the influence of all its members upon the nation at large. The Universities are not places but societies; and though the instruction of young men (and an instruction which no one seems to deny is more admirably conducted than in any country in Europe) is necessarily carried on in one spot, it is in the House of Commons, and the House of Lords, on the Bench of Bishops, among the Judges, at the Bar, and in the Pulpit, and in every private gentleman's family of the kingdom, that the silent but powerful influence of the Universities is now acting.

We have just fallen upon a passage surrounded with a great deal of trash, and all the false, silly sophistry of the day, but which, coming from no friendly hand, we cannot refuse to transcribe. After painfully lamenting the general mediocrity of intellect hanging like a cloud over the University, and indulging in no

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no very measured abuse of its principles, and the men who are at this time its greatest ornaments, it proceeds:—

'The respect and affection which Oxford has gained by its generally excellent discharge of its educational duties have blinded the public eye against its monstrous defects, as to its higher calling to place itself at the head of the literature of England. It is the glory of the English Universities that they furnish for our young men, at the most critical period of their lives, an education which, taken as a whole, is unequalled in Europe. A deeper and more extensive knowledge may be acquired at a German University; but nowhere can there be found combined such a noble moral training, such an admirable formation of character to habits of self-government, self-respect, and submission to authority—such an elevation of moral and even religious tone, coupled with mental energy and active pursuit of knowledge, as exist at Cambridge and Oxford. This education of character is the preeminent and best characteristic of our English Universities. To their influence the moral worth, the elevated sentiments, and gentlemanly feeling of the English gentry, and, as compared with those of other countries, of the English clergy, are principally due. For this they are most justly rewarded with the affection and the gratitude of the nation which they thus benefit. And it would be but a mock and most deplorable reform which would impair or destroy this social importance of our Universities. But, on the other hand, Oxford should be something more than the first of our public schools.'—*British and Foreign Review*, No. 105.

Undoubtedly it should; and if, instead of being congregated in one place, its members—members, we mean, of its governing body, who have a right, and are bound at this time to watch over its interests, and take an active part in its improvement—if these men, amounting to upwards of three thousand, and many thousand more who have given up their direct connexion with Oxford, but retain its spirit and lessons in their mind, are now spread over the whole country, acting in its most important offices, carrying into public and private life the maxims and the habits of their teachers, and acting as an impregnable bulwark against the mischievous aggressions of the day, so that men now openly declare that, unless Oxford be entirely remodelled, the Church cannot be destroyed, and the monarchy must still be saved—who shall say that the University has no influence on the country, and is unworthy of respect at least—even if respect be coupled with fear and reproach? It may, indeed, contribute little, comparatively little, to the literature of the day. It would be an evil hour for any seat of sound instruction, when it should be at the head of that vain, restless, presumptuous mob of writers, whose notions are swarming forth every hour from the press, and filling the ears of what is called the reading public, not with truths, (for a reading public rarely seeks for truths,) but with frivolous amusement, dissipation, or excitement.

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There may be men, and we believe the most learned and most thoughtful men in the University are among them, who believe that we have at length had about enough of original publication, and that it might be no dismal evil for the country if a conflagration were made of nearly all the crudities vented by half-read men within the last half-century, and a prohibition for another half-century against any new book. It is very possible, and very consistent with the most ardent desire for the advancement of human knowledge and the amelioration of human nature, to think that the neglected and dust-covered folios of former ages contain more food for the mind, and would contribute more to the extension of true intellect, than all the ephemeral trifles in which knowledge is now volatilized, like the Sibyl's leaves, and new roads are macadamized to science, as if science could ever be found except at the end of long, painful, and laborious efforts. Really learned men know, that except in physical science, scarcely a subject can be named which has not been treated well by some previous author. Sound judging men will fear to publish views of their own—until they have thoroughly examined the views of others before them. Careful and modest minds, who wish really to benefit the world, and think nothing of their own popularity, will prefer quietly working during their life on some great plan which may only be known after death; others will despair of obtaining a hearing for anything but frivolities that agree with a vitiated popular taste; and others will think, and think justly, that there are other ways of blessing mankind, and of discharging the duties of instruction, than by rushing into the mart of favour in any shape. And they will be the more deeply impressed with these notions, when they observe how much of the University itself, both in tone of feeling and grasp of thought, was deteriorated by the recent existence of a school within it founded on the very opposite views. If it is now—with the elasticity and force of a newly-recovered principle—springing back to the study of antiquity, and cultivating learning, rather than speculation—it is because men are wearied out and starved with those hasty, shallow, hungry attempts at spinning truths out of the brain of the individual, without any reference to facts, or history, or antiquity—which are sometimes held out to the world as the most valuable productions of the University in modern times. Men, to become great writers, really require something more than their own thoughts, their own experience—a person to read for them and argue with them—and a logical acuteness, sufficient to detect ambiguities in words, and to refute errors, as if for the first time, which either do not exist amongst any but the ignorant, or have been refuted over and over again by previous writers on the subject—though these

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these have never been read, and are not even known to exist. It is necessary, indeed, that the Universities should always, and particularly at this moment, be prepared with men able to meet the false and foolish theories which appear beyond their walls, and to crush them. But the best mode of crushing them, and of influencing the public mind to good, will be by continuing the course which Oxford, in particular, has adopted, and in which her most studious and learned men, without gaining any reputation themselves, but with infinite benefit to the country, are chiefly engaged. Let them republish old standard works, instead of throwing out new. The more she can disseminate accurate and cheap editions of good books already written, the more she will turn the intellect of the country into a safe channel, and increase its strength a thousandfold. In this work she may continue to employ her resident members, and to a very great extent; encouraging their studies and making them soundly learned themselves, while they are contributing to the learning of others. Her magnificent press, and the revenues arising from it, will enable her in this manner to take the lead of the literature of the country without any concession to a bad popular taste, or any departure from her own sound and elevated views of study. Although to edit the works of others may seem to some a menial office, those who know the various reading, accuracy of inquiry, and general erudition which is necessary to carry on such labours, will understand and appreciate them; but whether they are appreciated or not, it matters little—if the end be good. In particular, it might be well worth the attention of the University, to form a systematic plan for the supply of those clerical libraries which are now forming in many parts of the country, and which indicate the general sense of a want of deep learning in the clergy to combat the errors of the day. Much has been done already in editions of English divines. Could the University make a more acceptable present to the Church and to the nation, than by undertaking the republication of the early fathers, and engaging in it, at whatever expense, all the fittest persons within her walls? They are becoming every day more scarce and expensive; and although to edit them would be no easy task without much previous preparation, with such men as Dr. Gaisford, Dr. Routh, Dr. Cardwell, and Dr. Pusey to superintend the work, and the number of young students who would be willing to labour in it under their direction, a very noble monument might be raised to the honour of the University, and the best safeguards of Christianity.

We are very far from saying, that something might not be done to carry still further into effect a principle already in operation respecting college tutors. When it is said, that they are

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are for the most part men incompetent to the task, the best answer is, that they have all, without, perhaps, a single exception, either shown their aquirements by publications, or have been selected by the University at various times to discharge such offices as those of public examiners or select preachers, or have been highly distinguished by academical honours. If they were incompetent, neither the results of their instruction would prove so admirable as they are acknowledged to be, nor would their pupils or the country at large entertain such affection and reverence for the place of their education. They are not chosen, as ignorant men assert, from interest or with carelessness, but are selected from the most distinguished fellows—and the fellows, consistently, from the most distinguished men in the University—or at least, from the most distinguished candidates that come within the founder's limitation; and in several instances, in order to retain eminent services, tutors have been continued in the office even after marriage. Instead of surprise that not more are known by their publications (and many are known), those who understand the state of the University must be more astonished that so many men, who in any profession would rise into the highest eminence, are content in Oxford to occupy the best years of their lives in a laborious service, which affords no remuneration at the time higher than is enjoyed by an upper clerk in a banking-house,—which excludes them from marriage,—which is precariously dependent on their health,—and which, now that all hopes are to be cut off of obtaining the proper reward for their labour in the cathedral patronage, can lead to nothing better than a distant chance of a moderate living. And yet the surprise ceases to those who know the characters who are thus sacrificing their worldly advantage to a quiet, unobtrusive, and now calumniated occupation, for which the country can never adequately repay them. 'My lord,' says Bishop Louth, in reply to a violent and wrong-headed opponent—(and if the answer was true in his day, it is far truer at the present, and offers a just account of the charm of an University life)—

'My lord, I was educated in the University of Oxford. I enjoyed all the advantages, both public and private, which that famous seat of learning so largely affords. I spent many happy years in that illustrious society, in a well-regulated course of useful discipline and studies, and in the agreeable and improving commerce of gentlemen and scholars; in a society where emulation without envy, ambition without jealousy, contention without animosity, incited industry and awakened genius; where a liberal pursuit of knowledge, and a generous freedom of thought, were raised, encouraged, and pushed forward by example, by commendation, and by authority. I breathed the same atmosphere that the Hookers, the Chillingworths, and the Lockes had breathed before, whose

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whose benevolence and humanity were as extensive as their vast genius and their comprehensive knowledge; who always treated their adversaries with civility and respect; who made candour, moderation, and liberal judgment as much the rule and law, as the subject of their discourse; who did not amuse their readers with empty declamations and fine-spun theories of toleration, while they were themselves agitated with a furious inquisitorial spirit, seizing every one they could lay hold on, for presuming to dissent from them in matters the most indifferent, and dragging them through the fiery ordeal of abusive controversy. And do you reproach me with my education in this place, and with my relation to this most respectable body, which I shall always esteem my greatest advantage and my highest honour?'—*Letter to the Author of 'The Divine Legation.'*

So also Sir William Jones, speaking of his Commentaries on Asiatic Poetry:—

'Whether this work will please the French or their admirers is to me of little concern, provided it prove acceptable to my country, and to that renowned University in which I received my education. With a view to the honour of both, these Commentaries were undertaken and published; nor is there any wish so near my heart as that all my labours, past or future, may be useful and agreeable to them. What my fortune may be I know not; this, however, I know, that the most anxious object of my heart is, after having run my career, to retire in advanced life to the ever-beloved retreat of the University, not with a view to indulge myself in indolence, which my disposition abhors, but to enjoy a dignified leisure in the uninterrupted cultivation of letters.'

It is with a similar feeling that men are now induced to undertake those offices of tuition which otherwise could present little but heavy labour in youth, and almost poverty in old age. For the fellowships of the College, on an average, scarcely amount to 150*l.* a-year. The situation of tutor, except in one or two of the largest colleges, is worth little more than 200*l.* If a man devotes himself wholly to it, he becomes often unfitted by the very nature of his studies for subsequent parochial duties; and the University has no patronage. And yet it is expected, as a matter of course, that for this income young men are to be provided with tutors of the highest possible attainments; and no surprise or gratitude is felt when the demand is nearly realized; and it is found that the college tutors are in fact the body from which the University professors, the heads of our great schools, many of our bishops, even our most eminent judges (witness Lord Eldon and Lord Stowell), have been selected; and that they render Oxford now, to all who delight in a combination of active thought, unaffected and unambitious learning, earnest piety, and true benevolence, the most fascinating society in England. Still we do indeed sincerely wish that some arrangement may be

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be made by which this admirable body of men may be enabled to divide their studies more than they have done hitherto. In large colleges, where the number of pupils admits of several tutors, this is already done. But nothing presses so much on the attentions of the real reformers within the University as the necessity of arranging some plan by which, to a still greater extent, both private and public tutors, after having finished their general preparatory course, may confine themselves separately to some one branch of science. Here is a change which is absolutely necessary, and perhaps on some future occasion we may venture to offer some suggestions on it.

Some information also might be given on a subject which has been exposed to the most serious misrepresentation—the expenses of students, and also on the general principles which regulate the discipline of colleges. But we shall abstain for the present from touching on these points, which would lead to some lengthened statements. And as there never, we believe, was a time in which the body of young students was so orderly and so generally well-principled as at present, in which so few instances occurred of dissipation and extravagance, and when those who are capable of judging were so satisfied with their general management, it is less necessary to enter upon them at this moment.

But there is a very different subject on which a peculiar class of persons are attacking the University of Oxford, and on which it may not be useless to say a few words in conclusion. No calumnies on its institutions have been recently circulated without alluding to it, and scarcely any society is found interested in religion or the Church where it is not the subject of inquiry, and, we must also add, the subject of the grossest misrepresentations and ignorance—ignorance of both kinds, of facts and of principles.

The University of Oxford is at this moment charged with popery. Ludicrous as the notion is to persons on the spot, men have been found gravely to assert that it is introducing every day a number of strange papistical ceremonies—that all the foundations of Protestantism are undermined—and that a deliberate conspiracy exists to restore the religion of Rome. At first sight, sensible men are tempted to treat such extravagancies as they deserve, with ridicule, and even to be amused with their absurdity; but religion is not a subject for laughter in any shape; and absurdities widely circulated slide into popular belief as easily as truths, and ought never to be despised.

In reality the University of Oxford is at this time, as it always has been, the bulwark of the Church of England; and is more dreaded by the Romanists, whom it is accused of supporting, than by ultra-Protestants themselves. It is reviving and disseminating

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using the principles—not principles of her own, but principles of the Church of England—which offer the only means of destroying popery. But because many men do not understand either the nature of popery, nor the principles or history of their own church, and have no power to distinguish between the Catholicism which they all profess, and the Romanism with which it was corrupted; and have taken up in ignorance false views and doctrines which never were sanctioned by their Church, though they have recently been allowed to circulate without public contradiction; therefore they are startled and alarmed at truths which they cannot separate from errors, and imagine principles to be novelties which in reality are the old, uniform, undisputed tenets of our greatest and soundest divines. The entire ignorance of ecclesiastical history, and of polemical theology, which has been brought to light in recent attacks upon what is called the Oxford School of Divinity, is as surprising as it is lamentable.

The real facts of the case are these:—

A course of publications bearing on the present state of theology, and which have excited considerable attention, have lately been sent out, not from the University as a body, but from a few individuals, men whom if strangers have ventured to call Pharisees and mystics, friends who, without connexion as a party, or perhaps perfect coincidence of opinions, yet love and honour them for their ardent piety, their deep learning, and their Christian practice, may be permitted to describe as the most distinguished, most beloved, and most valued members of the whole University.

The object of these publications has been expressly and repeatedly stated. It was not to vent any new opinions, or to form a new school of theology, but to recal the minds, especially of the clergy, to the old standard divinity of their Church; to revive the great Catholic doctrines on which the Church of England was fixed at the Reformation; to give the clergy the only weapons by which it is possible to resist the dissent of popery and the popery of dissent; to mark clearly that middle course which the Church of England endeavours to preserve between superstition on the one hand and licentiousness on the other; to revive the study of ecclesiastical history; to point out to religious men their proper connexion with antiquity; to open a wider range of theological studies; and to bring again to light the treasures of theological knowledge and sincere piety; which, whether mixed with errors or not, all learned men agree to exist in the ancient Fathers of the Church.

What there is in such a plan unworthy of a learned body, dangerous to Protestantism, injurious to true piety, or tending to the encouragement of mysticism, must be left to those to discover whose

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whose acute vision has discerned what no men before ever discerned, that the study of the early fathers is favourable to the growth of that popery, which the merest schoolboy in ecclesistical history knows to have grown up by setting their evidence at nought, and to have been mainly overthrown at the Reformation by reference to their primitive authority.

Undoubtedly when any plan is formed for producing an impression upon public opinion, it must emanate from some combination of individuals, from something like a party; and the principles diffused must be viewed as the principles of the persons who disseminate them. But, as if to guard in every possible way against the name and appearance of such an evil as a party within the Catholic Church, a great part of the publications alluded to have been reprints of old valuable tracts, chiefly against popery, extracts from English divines, or portions of ecclesiastical history. If any doctrine has been advocated, it has been expressly put forward as the doctrine of the Church of England, implied in her formularies, confirmed by her teachers. If any return has been suggested to usages recently dropped, the reference has been to the rubric of the liturgy. Not an instance can be named of an attempt to put an individual at the head of a sect, or to establish any opinion except on the foundation of the English Church, and of that Church to which it professedly adheres, the Catholic Christianity of old. And whether men like or dislike the doctrines thus put forward, they must be reminded, though unable perhaps, from the shallowness of their theological learning, to cope with such questions, that they can argue only in one way. The doctrines are adduced as doctrines of the Anglican Church, and of that early Church which is expressly recognised by her as her authority and guide. If they are to be refuted, it must be done, not by declamation or clamour against popery or by notions of expediency, but by express proof from history, and from the works of our great divines, that the Church of England never professed them herself, never admitted a reference on such points to the early Church, or, if the reference was admitted, that the early Church gave no support to the views now inculcated. And those who now suggest them will then be the first to abandon them. Nothing, however, but learning, real, sound, deep learning, can meet the question; and therefore the sooner the clergy generally, and especially the alarmists of popery, betake themselves to the English divines and the early fathers, the sooner, if their aid is required, will they be able to save the Church from the ruin which they affect to imagine is now threatened on its purity and simplicity. We have no wish to enter into the theology of the question, but we do wish to impress on them that it is a question, not of fancy but of fact,—not of feeling but of learning. In

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In the mean time, without any discussion of the kind—although in the neighbourhood of London assemblies of clergymen holding peculiar opinions were actually called for the purpose of counteracting the spirit of these miscalled new doctrines—without any knowledge of the facts—without even reading the works themselves—men have been found to circulate the most idle stories and most slanderous statements, to brand the character not only of individual writers, but of the University at large. They have been denounced as *mystics* by one, as *papists* by another, as *formalists* by a third, as *innovators* by a fourth, and by a fifth, whom, from respect to his warm-heartedness, little as we can value either his judgment or his learning, we will not name in conjunction with a publication at which even his best friends blushed with shame, 'Pharisees and Hypocrites.' And this in the very pages in which Dr. Hampden's name was brought forward to charge those persons with needlessly traducing the opinions and insulting the feelings of a man who only differed from them in sentiment.

We might be inclined to draw a comparison between the conduct of the two parties on that occasion, which might not be uninstructive, as illustrating the real bigotry of liberality and the intolerance of universal toleration. But as the Archbishop of Canterbury and the Chancellor of the University truly stated in the House of Lords, ever since the close of those painful proceedings, it has been the earnest wish of all who promoted them to abstain from any observation which might give pain to Dr. Hampden himself. They would not shrink from censuring the opinions, but they never would consent to persecute the man. They preferred submitting to abuse rather than give fresh uneasiness, when it could possibly be avoided without a compromise of duty. But from late debates in both Houses of Parliament, and from misconceptions throughout the country, it may seem not unadvisable to restate the few facts by which the conduct of the University on that occasion is to be judged. It is not true that the opposition to Dr. Hampden was a political movement. Dr. Hampden was never known, and therefore never was obnoxious, to the University for any political opinions. He was a quiet, unobtrusive man, living on terms of friendship with all parties until he published his Bampton Lectures, and long afterwards. It is not true that those lectures were received at that time without suspicion or disapprobation. The very parties who afterwards came forward publicly to censure them, not only censured them at the time in private, but it was found had actually drawn out in form the objectionable principles, and still more, had some of them proposed to bring them formally before the University, but were induced to abstain by reluctance to such a painful proceeding,

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ing, and in the hope that the work itself, from the abstruseness of its subject, would not meet with general circulation.

It is not true that Dr. Hampden after this was appointed Professor of Moral Philosophy by the University. He was appointed by five electors, three of whom were not necessarily theologians. One of them, the most eminent scholar and divine in Oxford, is understood to have remonstrated against it. But the University had nothing to do with it.

It is not true that the Bampton Lectures were the only work in which errors, and dangerous errors, were seen. Dr. Hampden published others, all of which were carefully examined, and one of them, the moment it appeared, had been answered directly; though, at the especial suggestion of the very persons falsely called his persecutors, his name was not alluded to, that personal controversy in the University might not be provoked.

And it is not true that Dr. Hampden advocated the admission of Dissenters. His name stands at this moment appended to a protest against that measure, in common with the other heads of houses. And yet, if his views were favourable to such an interference with the first principles of theological and all other instruction, we are quite prepared to contend that this alone was sufficient to render him an unfit person to fill the theological chair.

But it is true, that when the name of Dr. Hampden was mentioned for that appointment, it became an anxious consideration how a danger apprehended to the University and the Church might best be obviated. Representations were made privately both to the Ministers and the Crown, and to the heads of the Church, but were not listened to; and the very silence which had been previously observed from desire to spare the feelings of an individual, was brought forward as a proof that the University had concurred in his opinions.

We will ask the most intolerant advocate for toleration, in what way it was possible for the University to remain inactive any longer, without for ever compromising its character, and giving its assent to principles which conscientiously it believed to be full of error and of mischief? And if, on the authority of Lord Melbourne, this view is assumed to be false, and the works themselves innocent, will the calumniators of the University bring forward, even from those who opposed the proceeding, a single competent judge who will pronounce them safe? Many men disliked the notion of publicly condemning them. One or two distinguished scholars in the University resisted it. But not one of them came forward to deny, and privately they were known to declare, that their opinion of the principles themselves completely coincided with

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with that of the University at large. And how general a sense was entertained of their objectionable nature, might be inferred from the very mixed characters who acted on the committee. Two of them undoubtedly were attached to what is termed the Oxford theology, but of the other four, three were wholly unconnected with any party, and the fourth, a most amiable man, was decidedly opposed to it.

Was the University to be precluded from the right of forming its judgment, or from the power of expressing it, or from the duty, positively enjoined by its statutes, and still more by the very nature of its institutions, of guarding its students against error, and the Church against corruption? Are the Church of England and its ministers the only portion of the community who are to be denied a sense of truth, and permission to follow their conscience? Or is all truth to be abandoned at once, and every man who distinguishes light from darkness, or good from evil, to be stigmatized as a bigot and a persecutor? This, indeed, is the end to which we are rapidly hastening. And that the University of Oxford might not be a party to such a madness—might raise her voice to the last moment in defence of truth—she did express, by a public act, her distrust of Dr. Hampden's opinions. She chose the only mode of doing this which it appeared was legally open. It was coupled with nothing personally offensive to him—nothing which interfered with his personal advantages, or could in any sense be called persecution. Some public papers, wholly unconnected with the University, did indeed indulge in violent language, both towards himself and the Ministry; but they were openly checked by the persons most actively engaged in the proceedings. Within Oxford, nothing throughout them was uttered having reference to the Ministry, or disrespectful to Dr. Hampden; and, on the contrary, every endeavour was made by the most distinguished individuals to soften a painful duty with acts of personal deference to himself. And when once what truth required had been done, every precaution was taken to prevent further distress to his feelings. Yet the University is to be charged with a bigoted, ferocious, and persecuting spirit; and a simple expression of opinion, and withdrawal of a mere honorary privilege, is spoken of like the sanguinary acts of the Spanish Inquisition!

Men may indeed be alarmed when such language is permitted to be uttered, even in the seat of the Legislature, and no one is bold enough to rise and do more than timidly excuse what ought to claim gratitude and applause. If men wish to see not only doctrinal truths, but the very foundations of Christianity, overturned, all moral laws abrogated, all knowledge confounded—they

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they will permit the miserable indifference to truth, the cool scepticism, which is rising on every side under the cloak of toleration and benevolence, to spread and be encouraged. But of all frightful symptoms in the present state of society, this is the most frightful. 'Certainly,' says Lord Bacon, 'it is Heaven upon earth, to have a man's mind move in charity'—but he adds also, 'to rest in Providence, and turn upon the poles of truth.' But what truth can be retained, if nothing is to be censured as error? And how are men to teach others, if they have not the courage to proclaim what they believe themselves?

Happily the University of Oxford is not yet infected with this timorous and ignorant spirit. Her institutions have secured her from the cavillings and dissensions which have engendered in all around her doubt and distrust. Her piety and practical goodness ensure her the best resting-place for reason in the sense of an ever-present Providence. Her learning and honest zeal to discharge her duties combined together teach her, with Lord Bacon, that 'antiquity deserveth that reverence, that men should make a stand thereupon, and discover what is the best way; but when the discovery is well taken, then to make progression;' and in that progression to regulate her changes by the maxim of the same great man: 'It were good that men in their innovations would follow the example of time itself, which indeed innovateth greatly, but quietly, and by degrees scarcely to be perceived.'

With the same Lord Bacon—(and we quote him, not as a supreme authority in philosophy or in practice—far from it;—but as the man whose name has been most abused to sanction opinions and plans which in his sober moments he was the first to condemn) —With Lord Bacon the University of Oxford thinks, as a learned body, that her first duty is to God, and her next to man. 'She does not act (*De Augment. Scient.*) as if there were sought in knowledge a couch whereupon to cast a searching and restless spirit, or a terrace for a wandering and variable mind to walk up and down with a fair prospect, or a tower of state for a proud mind to raise itself upon, or a fort or commanding ground for strife and contention, or a shop for profit and sale; but rather a rich storehouse for the glory of the Creator, and the relief of man.'

She agrees with him that physical science, however useful, is but a part, and a small part, of human knowledge, and if carried into higher regions of truth, can only breed ignorance and evil.

'If any man' (he says) 'shall think, by view and inquiry into these sensible and material things, to attain that light whereby he may reveal unto himself the nature or will of God, then, indeed, is he spoiled by vain philosophy; for the contemplation of God's creatures and works produceth

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produceth (having regard to the works and creatures themselves) knowledge; but having regard to God, no perfect knowledge, but wonder, which is broken knowledge. And, therefore, it was most aptly said by one of Plato's school—"That the sense of men carrieth a resemblance with the sun, which, as we see, openeth and revealeth all the terrestrial globe; but then, again, it obscureth and concealeth the stars and celestial globe." So doth the sense discover natural things—but it darkeneth and shutteth up divine.'—*De Augment. Scient.*

As giving a stimulus to inquiry, earnestly, and yet moderately, she agrees with him—

'that a man cannot search too far, or be too well studied in the book of God's word, or in the book of God's works—divinity or philosophy; but rather that men should endeavour an endless progress or proficience in both; only let them beware that they apply both to charity, and not to swelling—to use, and not to ostentation; and, again, that they do not unwisely mingle or confound these learnings together.'

In giving a practical direction to all studies, she agrees with him, also, that what most

'dignifies and exalts knowledge, is when contemplation and action are more nearly and straightly conjoined and united together than they have been; and knowledge is not made as a courtezan for pleasure and vanity only—or as a bondwoman, to acquire and gain to her master's use—but as a spouse, for generation, fruit, and comfort.'

As an ecclesiastical body, maintaining the authority of the Church, she also thinks with him—or rather he thought with her, and with all wise and humble Christians—that

'the contradiction of tongues doth everywhere meet with us out of the tabernacle of God; therefore, whithersoever thou shalt turn thyself thou shalt find no end of controversies, except thou withdraw thyself into that tabernacle. Thou wilt say it is true, and that it is to be understood of the unity of the Church; but hear and note; there was in the tabernacle the ark, and in the ark the testimony, or tables of the law; what dost thou tell me of the husk of the tabernacle without the kernel of the testimony? the tabernacle was ordained for the keeping and delivering over from hand to hand of the testimony. In like manner, the custody and passing over of the Scriptures is committed unto the Church, but the life of the tabernacle is the testimony.'—*Meditationes Sacræ.*

If the University had wished to lay down, in the words of a layman, the very principles which she supported in her censure upon Dr. Hampden, she might again have spoken by the tongue of Lord Bacon. Dr. Hampden proposed to employ reason upon the fundamental tenets of Christianity, but to exclude it from all power of drawing inferences from them. The University denied both propositions, and so expressly does Lord Bacon:—

'Sound theology (he says)—which, in our idiom, we call divinity—is grounded only upon the word and oracle of God, and not upon the light

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light of nature; and the doctrine of religion, as well moral as mystical, is not to be attained but by inspiration and relevation from God. And the use of human reason in religion is of two sorts: the former in the conception and apprehension of the mysteries of God to us revealed; the other in the inferring and deriving of doctrine and direction thereupon. The former extendeth to the mysteries themselves; but how? by way of illustration, and not by way of argument. The latter consisteth, indeed, of probation and argument. For after the articles and principles of religion are placed and exempted from examination of reason, it is then permitted unto us to make derivations and inferences from, and according to the analogy of them, for our better direction.'—*De Augment.*

Lord Bacon did not deny that erroneous opinions might exist, and ought to be checked. He urged, indeed, the distinction between points fundamental and points indifferent; but the example he held out to the Church was this—an example which the University has endeavoured to follow—

'We see (says he) Moses, when he saw the Israelite and the Egyptian fight, he did not say, "Why strive you?" but drew his sword, and slew the Egyptian; but when he saw the two Israelites fight, he said, "You are brethren, why strive you?" If the point of doctrine be an Egyptian, it must be slain by the sword of the Spirit, and not reconciled; but if it be an Israelite, though in the wrong, then "Why strive you?"'

So, also, if interpretations of Scripture, deeper than the words themselves, are censured as mystical and popish—for this charge is now brought forward against what is termed the Oxford theology—what says Lord Bacon?—

'The Scriptures being written to the thoughts of men, and to the succession of all ages, with a foresight of all heresies, contradictions, differing estates of the Church, yea, and particularly of the elect, are not to be interpreted only according to the latitude of the proper sense of the place, and respectively towards that present occasion whereupon the words were uttered, or in precise congruity or contexture with the words before or after, or in contemplation of the principal scope of the place—but have in themselves, not only totally or collectively, but distributively in clauses and words, infinite springs and streams of doctrine to water the Church in every part; and, therefore, as the literal sense is, as it were, the main stream or river, so the moral sense chiefly, and sometimes the allegorical or typical, are they, whereof the Church hath most use; not that I wish men to be bold in allegories, or indulgent, or light in allusions—but that I do much condemn that interpretation of the Scriptures, which is only after the manner as men use to interpret a profane book.'—*De Augment. Scient.*

It is interesting, but painful, to see how boldly this ignorant and shallow-minded age is bringing forward great names to sanction what they wholly reprobated. Lord Bacon was, at times, violent, and

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and even abusive. The misuse which had been made of the physical philosophy of Aristotle and Plato exasperated him to indulge in language which he afterwards checked; and the opening of a new path of inquiry which had been long shut up fostered in him visionary hopes of human improvement, and an overweening passion for physical science, and the philosophy of experience. But in practical matters he was indeed a great man; and we gladly refer to his judgment the notions of those noisy, conceited theorists, who so loudly profess to follow him, but evidently know nothing of his principles.

In the same manner we must deal with the alarmists on the subject of the Fathers—those who think that the Church of England acknowledges no deference to their testimony; and that Protestantism or rather,—(for the very name of Protestantism, cold, and negative, and sceptical as it is, ought to be abolished among us),—that true Evangelical Catholic Christianity cannot be preserved in purity unless we cut off all connexion with Christian antiquity. We refer them to Bishop Jewell—the great apologist for the Church of England, the great opponent of popery—by no means the most rigid advocate for high ecclesiastical discipline. He says, in his answer to Harding:—

'These be cases—not of wit, but of faith—not of eloquence, but of truth—not invented or devised by us, but from the apostles and holy fathers, and founders of the Church, by long succession brought unto us. We are not the devisers thereof, but only the keepers—not the masters, but the scholars. Touching the substance of religion, we believe that the ancient Catholic learned fathers believed, we do that they did, we say that they said, and marvel only in whatsoever ye see them, if ye see us join unto the same. It is one great comfort (he concludes) that we see their faith and our faith to agree in one. And we pity and lament your miserable case (he is writing to a papist), that having of yourselves erected a doctrine contrary to all the ancient fathers, yet would thus essay to colour the same, and to deceive the people only with the names and titles of ancient fathers.'

And in the same manner we will conclude with a passage, not from a clerical authority, but from Sir Walter Raleigh's 'History of the World,' which we trust will not be wholly thrown away upon those who are terrified at the formalism with which the University is charged, and which consists in honouring the House of God, and respecting the institutions of the Church. It could not perhaps find words more truly expressive of its spirit:—

'The reverend care,' he says, 'which Moses, the prophet and chosen servant of God, had, in all that belonged even to the outward and least parts of the tabernacle, ark, and sanctuary, witnessed well the inward and most humble zeal borne towards God himself. The industry used in the framing thereof, and every and the least part thereof; the curious workmanship

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workmanship thereon bestowed; the exceeding charge and expense in the provisions; the dutiful observance in the laying up and preserving the holy vessels, the solemn removing thereof; the vigilant attendance thereon, and the provident defence of the same, which all ages have in some degree imitated, is now so forgotten and cast away in this superfine age, by those of the family, by the Anabaptist, Brownist, and other sectaries, as all cost and care bestowed and had of the church wherein God is to be served and worshipped, is accounted a kind of popery, and as proceeding from an idolatrous disposition; insomuch as time would soon bring to pass (if it were not resisted) that God would be turned out of churches into barns, and from thence again into the fields and mountains, and under the hedges; and the offices of the ministry (robbed of all dignity and respect) be as contemptible as these places; all order, discipline, and church government, left to newness of opinion and men's fancies; yea, and soon after as many kinds of religion would spring up as there are parish churches within England; every contentious and ignorant person clothing his fancy with the Spirit of God, and his imagination with the gift of revelation; insomuch as when the truth, which is but one, shall appear to the simple multitude no less variable than contrary to itself, *the faith of men will soon after die away by degrees, and all religion be held in scorn and contempt.*'—*History of the World*, b. ii. c. 5, s. 1.

If this consummation, far indeed advanced already, is not to be accomplished upon this country, as it has been accomplished in others, it will be due, we do not hesitate to say—due, under the blessing of God, to the University of Oxford. She alone unites in herself the learning to understand antiquity, the humility to reverence it, the moderation to temper that reverence, the power to enforce, and the means to diffuse it. She alone has so combined the studies of human knowledge and of divine, that in her neither theology will impede science, nor science corrupt theology; neither faith shackle reason, nor reason trespass upon faith. She cannot live under the shadow of those splendid palaces which piety and learning raised to preserve themselves as a heritage for the world, without daily learning their lesson—to labour for future ages as past ages have laboured for her. She cannot have watched the growing up of that spirit of sound religion and loyalty and learning, and attachment to all that is good and noble, which is now spreading more and more in the great body of her students, without being inspired to watch over them with redoubled zeal and affection—without encouraging ardently and sincerely every improvement which, conducted on the same principles with the past, may produce the same effects. It would, indeed, be a great advantage if all that she has done and is doing —and still more, what she cannot do consistently with her duty or with the first principles of a wise education—could be made known to the world, not only to stop the mouths of her calumniators,

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niators, but to remove impressions which seem to exist even among those who are bound officially to defend her. Even her advocates of a past generation seem possessed with the general suspicion that wherever there is firmness there is bigotry,—that no love can be cherished for old things without ignorance of new,—that no power can exist without abuse.

The real strength of the University must lie in her younger members; they are beginning to occupy very prominent places in the Legislature, the Bar, the Church, and the country at large; they are very generally animated with one spirit; they have not received the institutions, which they support, upon trust, and in peace, but have been compelled by the dissensions of the day to reason out their principles, and now understand their value, and can regulate their application. They have more definite and precise views than prevailed in a former generation; more firmness, more faith in the omnipotence of truth, and goodness, and Providence—more abhorrence of that lax philosophy of expediency, which, if ever it comes into power, must ruin the country beyond redemption. And they are for the most part deeply imbued with religion, and a religion not vague, and sentimental, and self-willed, but regulated and cherished by that without which the greatest of heathen philosophers declared no goodness could ever come to perfection,—loyalty and affection to a polity—to the Church, which is once more beginning to organize her powers, and rise up in the fulness of her stature. If it is a pride to the University to point to them as the best evidence of the truth of her principles, and of the discharge of her duties to the country, it may also be a pride to them to rally round her in the hour of her danger, and to raise their voice and strength against the hands which are planning her destruction.

And in their work, a great and mighty work, of holding up the truth before the world, and spreading a wholesome knowledge, and infusing a new spirit of life into the dry bones of our dead institutions, they cannot carry with them a prayer more good and holy, or more appropriate, than one which we shall borrow once more from Lord Bacon, with a wish that, as it embodies the great maxims of the University of Oxford, so it were also the prayer of all who now attempt to shelter rationalism, impiety, and scepticism, under the sanction of his great name:—

'Since, therefore,' he says, 'these matters are beyond our control, we in the beginning of our work pour forth most humble and ardent prayers to God the Father, God the Word, and God the Spirit, that, mindful of the cares of man and of his pilgrimage through this life, in which we wear out some few and evil days, they would vouchsafe through our hands to endow the family of mankind with these new gifts; and we moreover

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moreover humbly pray that human knowledge may not prejudice divine truth, and that no incredulity and darkness in regard to the divine mysteries may arise in our minds upon the disclosing of the rays of sense, and this greater kindling of our natural light; but rather that from a pure understanding, cleared of all fancies and vanity, yet no less submitted to, nay, wholly prostrate before the divine oracles, we may render unto faith the tribute due unto faith; and lastly, that being freed from the poison of knowledge infused into it by the serpent, and with which the human soul is swollen and puffed up; we may neither be too profoundly nor immoderately puffed up, but may worship truth in charity.'—*Preface to the Novum Organum.*

ART. IX.—*Letter from the Marquis of Tavistock to the Editor of 'The Quarterly Review.'*

THE Marquis of Tavistock has addressed to us a letter of remonstrance and complaint against the passage in the last article of our last number which relates to the borough of Tavistock, and to the expressions attributed to his Lordship in the debate on that topic of the Reform Bill.

Lord Tavistock might have been assured that we should have given the earliest possible insertion to his communication, for our only object in all these discussions is to get at truth and to do justice. His lordship, however, thought fit to give his letter an earlier publicity, and to invite not merely our readers, but what he may have thought a still wider circle, to become judges in the controversy between us. We do not at all complain of this—quite the reverse. Lord Tavistock thinks he has been injured, and he *hastens* to set himself right in public opinion; and we, on our side, feeling that the matter—interesting as it may be to the individual members of the house of Russell—is infinitely more so to the public at large, are ready and anxious to discuss with the noble marquis—in any shape or on any arena he may be pleased to adopt—the question of the justice or partiality, the fairness or the fraud, of the framers of the Reform Bill, and particularly in regard to *Tavistock*—with no other reluctance than that arising from the risk of giving additional pain to a nobleman for whose amiable private character we have great respect, and who seems to mingle more of personal feeling in this political controversy than, considering his professed confidence in the goodness of his cause, we could have expected.

We begin by laying before our readers Lord Tavistock's letter *in extenso*:—

'*To the Editor of the Quarterly Review.*'

'Sir,—In a political article in the last number of The Quarterly Review I find these words, relating to what is there represented as the preservation

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preservation of Tavistock, "amidst the general destruction of *nomination boroughs*, for the special uses of a patriotic family:"—"We remember that when some surprise of this kind was expressed in the discussion of the Reform Bill, the Marquis of Tavistock indignantly repelled the insinuation that his family would ever again exert any influence in that borough. It *happened*, however, that in the *first* Reform Parliament the members for this little town were Lord Russell, the son of the *self-denying* marquis, and Colonel Fox, the son of Lord Holland, a *close ally of the house of Russell.*" Why this attempt is *now* made to injure my public character, by perverting a few words I spoke in the House of Commons *more than six years ago*, I know not, unless it is imagined that, by throwing dirt at me, some part of it may possibly fall upon my brother, or upon the family he belongs to. Be this as it may, however, it can be of very little interest to the public, or to the readers of "The Quarterly Review," what opinions I expressed at that time; but it is of some importanee to my own character to remove the stain which the reviewer has endeavoured to cast upon it. I beg, therefore, that you will be so good as to inform him that I made *no such declaration* as that which he has attributed to me. What I did say, in answer to a remark of the preceding speaker, Mr. Alexander Baring, was, that I did not believe that, if such a measure of reform should pass, and the borough of Tavistock should be enlarged, and opened to 10*l.* householders, the Duke of Bedford would continue to return *both* its members, or even to attempt it. Upon this opinion of mine, given hastily in the heat of debate, and without concert with him, the Duke of Bedford was in no way bound to act; but so entirely did he participate in the feeling I then expressed, that he has never, since the bill passed, exercised any influence, direct or indirect, in favour of a second candidate. The electors now make their own free choice; and I feel persuaded that no influence the Duke of Bedford possesses would induce them to elect any man whose political principles are at variance with their own.

'Having been a Radical Reformer all my life, I should have been better pleased with the Reform Bill if the disfranchisement clauses had been extended to Tavistock, and to all other boroughs of the same size. I stated this in the House of Commons at the period in question; but the total abandonment of all fair political influence, arising from private property and identified with public character, was never declared or contemplated by me. Those who have been at all acquainted with my political opinions know that I have always considered it as one of the advantages of reform that the just influence of property would be more equally diffused.

'Suppose, however, that, in order to indulge the avowed principles of Radical Reformers, and to gratify the personal feelings of Anti-Reformers, schedule B had been extended to Tavistock, what must have been the consequence of that extension? First, that the Reform Bill, already considered far too sweeping by one of these parties, must necessarily have been rendered still more sweeping; and, secondly, that, while several seats now standing between that borough and the line of disfranchisement adopted by the Reform Bill would have been lost to the

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the Tories, the *one* seat at Tavistock would, probably, have been still preserved (through the natural and legitimate influence of property and character, with the elective franchise freely exercised) to a member of the Russell family.

'I never observe this important circumstance noticed by any of those whose political jealousy appears to be so often excited by the preservation of that borough. There are other assertions in the same article relative to Colonel Fox's elections for Tavistock and Stroud which must be known to many persons acquainted with the politics of either of these places to be equally and utterly unfounded.

'But the object of this letter is merely to defend my own character against the attack that has been made upon it by this attempt of the reviewer to fix upon me, *after so long an interval*, a declaration which I never made, and a sentiment which I never entertained.

'I remain, sir, your obedient servant,

'Oakley, Nov. 7, 1837.' 'TAVISTOCK.'

The two main points of this address are—

First, Lord Tavistock complains that this charge is '*now*' made, after a lapse of '*more than six years*,' and 'after *so long* an interval.'

Secondly, that he, in fact, made NO SUCH *declaration* as that attributed to him.

To the *first* point we answer that, however agreeable and convenient it might be to Lord Tavistock and his friends to consign to oblivion the history of the Reform Bill, we cannot think that it is as yet quite obsolete—or that the lapse of *six years* can be pleaded in bar of an historical inquiry, as if it were a simple contract debt. Indeed, amongst Lord John Russell's various legal improvements, we wonder that he has not introduced *a statute of limitation* as to political pledges. It would be vastly comfortable to his Lordship and his colleagues; but until that shall have been accomplished, we shall persist in thinking that the years 1831 and 1832 are not beyond the jurisdiction of public criticism.

But even if they were, Lord Tavistock comes too late with his demurrer. The whole case of Tavistock, with Lord Tavistock's speech, extracted from the Parliamentary Debates, and fully and severely commented upon by us, will be found in the 97th number of the 'Quarterly Review,' published in 1833. We there stated the case with much more detail than we did on the late occasion; why did not Lord Tavistock answer THEN?

We then and there stated from Hansard's Debates, that Mr. A. Baring having said—

'Would not the borough of Tavistock, for instance, belong to the Duke of Bedford as much after the alteration as before it? If the Noble Lord (Tavistock) who represented the borough doubted the fact, he would ensure him his election for half a crown.'—*Hansard's Debates, 3rd March*, 1831.

To

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To this Lord Tavistock replied,—

'That if the honourable member would give him (Lord T.) half a crown, he would return him twenty half-crowns IF EVER *the Duke of Bedford made the attempt.*'—*Hansard*, ibid.

Upon these quotations we then and there made, *inter alia*, the following remarks:—

'Tavistock (perhaps by the effect of this, Lord Tavistock's, very solemn *assurance*) preserves its two members—and *who* are the two members returned?—Lord Russell, the nephew of Lord John Russell, the grandson of the Duke of Bedford, the son of Lord Tavistock himself;—and Colonel Fox, the son of Lord Holland, who had, and could have, no other recommendation to that constituency than the *influence* of the Duke of Bedford! ..... Lord Tavistock himself has gone to the House of Peers; and his brother, Lord Charles James Fox Russell, has taken his place in the county of Bedford; and in the *town of Bedford*, in which Lord Tavistock volunteered a promise that the Duke of Bedford would also refrain from exerting any influence, two gentlemen have been returned—the one the very same nephew of Lord Grey who sat under the old system, and the other also a *friend*, as it is stated, of the self-denying Duke. It seems impossible, after all this, to add a touch to such a picture—yet we think what follows will be the crowning wonder.

'It will be recollected that places were avowedly selected for utter disfranchisement, or for *half* or *whole* representation, by the proportion of electors which they were likely to furnish. *Three hundred* was the minimum, which a place must have to retain *one* member, and the travelling commissioners were directed to carve and parcel out the several boroughs accordingly; and Mr. O'Connell, who generously undertook the defence of Tavistock, said, that "the Bill threw open that borough, and created 1000 electors, when there at present were but 24."—(*Hansard's Parliamentary Debates*, March 8, 1831.) Mr. O'Connell here made a slight mistake: Tavistock was a close borough, but not so close as he represented it: he probably thought it was a corporation when he assigned to it 24 electors, but it was in fact one in which freeholders voted, and we find in the Parliamentary Registers that the old constituency had sometimes amounted to 115. But we have positive proof of the number of electors in the emancipated borough:—a *thousand* as Mr. O'Connell promised? Oh, no! What, only five hundred? Guess again! No doubt they at least amounted to *three hundred and eighty*, the number calculated by the commissioners? Not quite! Well, to be sure, they at least exceed Lord John's own *minimum* of three hundred? No such thing! there polled at the reformed election for Tavistock—*one hundred and eighty-three!* So the Reform Bill appears to have increased the constituency of Tavistock neither by 1000, nor even by 300, but by 68; and Tavistock retains its two members, and these members are the nominees of the Duke of Bedford—

——— "The dext'rous art is shown
Amidst a kingdom's wreck to save *one's own!*"

Can impudence go farther?'—*Quart. Rev.*, No. 97, p. 261.

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Here, then, within *two years* of the occurrence, was the charge very explicitly made, which Lord Tavistock now complains of, as being unfairly produced, after a lapse of *six:* nor will it, we presume, be said that Lord Tavistock did not hear of that article—it was as likely to have reached him as our last—but, moreover, that article was the subject of some observations in the Noble Lord's chosen organ the *Morning Chronicle*, in which some of our details respecting the then late election at Tavistock were questioned—but neither from Lord Tavistock, nor anybody else, did we ever hear any doubts as to the extent and meaning of Lord Tavistock's declaration.

All this, we think, disposes completely and unanswerably of Lord Tavistock's first complaint as to the *lapse of time.*

On the second, and more important point, his Lordship says, he never made *any such* declaration—denying, not merely the *precise words* reported, but ANY SUCH declaration. This is the whole question, and by its decision Lord Tavistock must stand or fall.

We have already seen the report of the Noble Lord's speech in Hansard's Debates—and of the general accuracy of such reports there can be little doubt—but we will now refresh the Noble Lord's recollection by quoting the report of the passage given by his own organ the Morning Chronicle, the day after the debate.

'The honourable gentleman (Mr. A. Baring) had said, that he would bring in a bill to extend the disfranchisement to Tavistock if Callington was to be cashiered. He (Lord Tavistock) meant to give the present motion his cordial support; and whether the honourable member, after its success, made his motion or not, he should be much surprised *if the Duke of Bedford interfered with the free exercise of the votes of the people of Tavistock.*—(*Cheers and laughter.*) The honourable member said, for half a crown he would ensure the return of *a member* for Tavistock; and he (Lord Tavistock) would give the honourable member twenty crowns if *the Duke of Bedford should ever make an attempt to interfere with the freedom of voting.*—(Cheers.)'—*Morning Chronicle*, 4th March, 1831.

We now confidently ask whether there can be any doubt as to the meaning of the reported expressions, or any colour for the charge made against us of '*perverting*' that meaning. Lord Tavistock is at liberty to deny the accuracy of these reports—though *that*, indeed, after the lapse of *six years*, would be rather late—but he certainly has no right to accuse *us* of any *unfairness* for quoting from authorities of such general acceptation, and which, in the particular instance, had never been contradicted or even questioned.

Lord Tavistock now says he spoke only of *one* member.

We shall presently give our reasons for thinking that this variation

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tion would not, in *principle*, improve Lord Tavistock's case, and our former observations would have applied as well to the *undue preservation* of one *nomination* seat as of two—but we must fairly say, that we prefer the contemporary reports which we have quoted to Lord Tavistock's present recollections. We have examined the reports of the other newspapers of the day—we have consulted persons who were in the House, and in the gallery at the time—and we find them all agreeing in the substantial accuracy of the reports before cited.

Lord Tavistock reminds us that the matter happened several years ago. His Lordship never was, we believe, much in the habit of addressing the House—and bolder and more confident speakers than he, have been known to lose somewhat of their presence of mind in addressing that audience, and to have said what they did not mean at the moment nor remember afterwards: it is, therefore, no personal discourtesy—which Lord Tavistock is the last man in the world to deserve—to say that we hesitate, under all the circumstances, to accept his present impressions against such a uniform mass of positive and contemporary evidence—particularly as these impressions seem at variance with some other important circumstances of the case. Mr. Alexander Baring at first stated, *generally*, that the Duke of Bedford's influence would not be diminished. Upon this Lord Tavistock made some *gesture* of *dissent*, which Mr. Baring met by saying—'If the noble Lord (Tavistock) doubts my assertion, *I will ensure* HIM HIS SEAT *for half a crown*.' To this Lord Tavistock replies—even according to the Morning Chronicle—'*The honourable member said, for half a crown he would ensure the return of* A MEMBER *for Tavistock, and he* (Lord Tavistock) *would give the honourable member twenty crowns if the Duke of Bedford* EVER *made an attempt to interfere with the freedom of voting*.' It is clear that his Lordship's answer to Mr. Baring, if it were what his Lordship now supposes it to have been, would have been absolute nonsense, because it would not have met the point of the question.

But if any doubt could still remain, it would be entirely dissipated by the *written* evidence of the *Duke of Bedford* himself. An indiscreet partizan of the Duke and Lord Tavistock has just published, in the 'Morning Chronicle,' an Address which had been presented by the Inhabitants of Tavistock to the Duke on the passing the Reform Bill, with his Grace's answer; in that answer, dated 20th June, 1832, is the following remarkable passage:—

'Tavistock, from the very limited number of its constituency, might very fairly have been classed among the *nomination boroughs*—now HAPPILY EXTINGUISHED FOR EVER!'

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Will Lord Tavistock contend, that by this *written* declaration that '*Nomination was extinguished in Tavistock for ever!*' the Duke of Bedford meant that he would reserve ONE *nomination* seat?

But the matter does not rest on material or documentary evidence alone: there is a still more, as we think, indisputable, and, if possible, less fallible authority—the *moral impossibility* of the supposed case. Lord Tavistock may—very pardonably—have forgotten the particular words of his own speech; but can he have forgotten the general subject of the debate, the general tone of the House, and the general temper of the country? Can he have forgotten that the whole *principle* of Lord John's bill and of Lord John's speech, and of all the Ministerial speeches which followed, was the *utter extinction of* NOMINATION *everywhere and of all kinds?*—We remember the state of the public mind at that time; and we are convinced that Lord Tavistock would no more have ventured *at that moment* to lay claim to *one nomination seat* at Tavistock, than Lord Fitzwilliam to have claimed an exemption for his single seat at Higham Ferrers; and the '*cheers*' and '*laughter*' which all the reports state to have followed his reply to Mr. Baring, attest *how complete* and *how full* the House understood that answer to be.

We have thus justified, we trust triumphantly, our former statements, and accounted for—we hope without any disrespect to Lord Tavistock—our impression that he is mistaken as to his recollection of what passed. Indeed, we confess ourselves wholly unable to reconcile Lord Tavistock's present admission as to *one* seat with the assertion that he made '*no such*' declaration:—his admission limits the *extent*, but not the *quality* of the declaration, and therefore the denial of '*any such*' declaration is clearly erroneous—but let that pass.

But if we could, which unfortunately we cannot, adopt Lord Tavistock's interpretation, we should still repeat that the new version of the matter would not, in principle, affect our argument. For it seems to us that the Duke of Bedford's influence, even if limited to *one* seat, would, by the general destruction of nomination boroughs, be now infinitely greater than he formerly derived from *two*, when his Grace was only one of sixty or seventy gentlemen who exercised that kind of patronage. Indeed, Lord Tavistock's avowal of the influence over this *one* seat appears to us the most curious confession and commentary on the Reform Bill that has yet met the public eye, and he may be assured he will hear of it again in *Schedule A.* of some future Reform Bill, when the Whigs will have to undergo the same amputation which scandalous partiality and popular frenzy induced and enabled them to inflict on their old political adversaries in 1832.

Lord

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Lord Tavistock further tells us, that some of our assertions as to Colonel Fox's election for Tavistock, in the first Reform Parliament, are 'utterly unfounded.' We certainly do not pretend to be acquainted with all the arcana of the Whig nominations—and we have no doubt that, so early after the Reform Bill and the professed 'extinction' of all 'Nomination,' the case was managed with all possible discretion and decency. But we will ask the noble Lord whether he can venture to assert that Colonel Fox was not, *bonâ fide*, the *nominee* of the Duke of Bedford on that occasion, as well as his colleague, Lord Russell? Will the noble Lord tell us what other claim on or connexion with the borough of Tavistock Colonel Fox had? It is very true that this gross instance of nomination gave some dissatisfaction, and that the Duke has since had the prudence to acquiesce in the election of Mr. Rundle, an inhabitant and banker in the town—who, though personally independent, will be found, we dare say, voting by the side of Lord John Russell nearly as steadily as Colonel Fox would have done; but in process of time, when the excitement created by the Reform Bill shall have subsided, and whenever the Duke of Bedford may think it worth his while to put forth his strength, we have no doubt that the proprietor of twenty-sixteenths of the new borough will not be less successful than he was when proprietor of sixteen-twentieths of the old.

We have already expressed our surprise that the Noble Marquis, who has done us the honour of remonstrating against our *last* article, had taken no notice of the *former* and *more detailed exposure* of the case of Tavistock. Is this to be accounted for by the fact that *at that time*—when the Duke of Bedford had *two* undeniable nominees actually sitting for Tavistock—no defence at all could be made; and that *now*, when the seats are filled, one only by a mere nominee, and one by an ally, the kind of *half-defence*, to which we are replying, has been attempted?

The Marquis further says, that to have disfranchised Tavistock would have been to extend still further the effect of the bill which we, and those who think with us, complain of as being already too sweeping. But neither we, nor any Tory that we have heard of, ever thought of disfranchising Tavistock—nay, we never so much as objected to the influence of the Duke of Bedford in the borough. His Grace possessed, at least, sixteen-twentieths of the property in the *old* borough, and his *son's* boundary bill has left him, as we are informed, in pretty nearly the same proportion of property in the *new* borough. He is also a good landlord, and has been a great benefactor to that little town, and we should, on every principle we have ever maintained, be very sorry indeed to think that he had not a preponderating influence there;

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there; but what we objected to, and what we proved in the article in 1833, was the hypocritical pretences—the shameless partiality which maintained Tavistock in its full franchise, while other more considerable places, but not having the same interest in the Cabinet, were partially or wholly disfranchised; as, for instance—by the first bill—the *county towns* of Appleby, Buckingham, Bodmin, Cockermouth, Huntingdon, Guilford, and Dorchester! It is not of the *influence* we complain, but of the partiality, the injustice, the fraud—we use the word advisedly—by which certain fanciful *lines* were drawn, and certain pretended *rules* laid down, which, while they disfranchised *seven county towns*, were so adroitly managed as to preserve the Whig nominations, such as Malton—'*fortunate Malton!*'—and Midhurst—'*scandalous Midhurst!*'—but which, by a turn of the juggler's hand, were arbitrarily and outrageously rejected, when their operation would have saved some Tory boroughs, such as St. Germains and Appleby.

As Lord Tavistock has undertaken the defence of the case of the borough whose name he bears, we wish he would explain how it happened that, of all the documents and returns presented to Parliament for the purpose of measuring the size and importance of the respective boroughs, those relating to Tavistock—some of them dated from the '*Bedford Office*'—are in a most peculiar degree obscure, contradictory, and *untrue*. This may have been accident; but it is rather strange that such an accident should have happened in the case of that very borough with which the manufacturer of the bill and superintendent of the returns, must have been the best acquainted.

This does not seem to have been noticed in the debates on the Reform Bill; but Lord Tavistock's defence having induced us to look at those documents, we find them to be as we have stated. From the, we believe, studied confusion, however, we have painfully extracted two or three facts quite new to us, and which Lord Tavistock will find it difficult to explain.

The document first presented to Parliament as the foundation of the schedules of the Reform Bill states the claims of Tavistock thus:—

Tavistock . . . 710 houses. Total population . . . 5483.
Par. Paper, 1831, *No.* 201.

Of course, a population of 4000 having been—for the purpose of saving *fortunate Malton*, which had just 4006 inhabitants—adopted as the limit of disfranchisement, Tavistock passed on triumphant. But how were the facts? It appears by another Parliamentary Paper (1831, No. 330), that the Government, at the very time they made this return as to Tavistock, were in possession of the official return

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return of the chief magistrate of that borough, stating that Tavistock had but '566 houses,' and '*about* 1900 male inhabitants' only; so that, if the females did not greatly exceed the males, Tavistock, instead of being so triumphantly beyond the line, must have fallen into Schedule B! and this Lord John Russell (putting aside all *personal* knowledge of Tavistock) must have *officially* known at the time when he laid the first erroneous return before the House, and brought in the fraudulent measure founded upon it.

This fact, if it had been observed at the time, would have diminished the public surprise at seeing the minister abandon so suddenly the *population test*, and adopt a new and complicated principle, calculated by Lieutenant Drummond of the Royal Engineers, by which Tavistock, as well as Calne, Morpeth, and Malton, were still preserved. But even this new scheme would not have saved the *Cabinet* boroughs, if the original numbers in the schedules had been maintained, for there were 106 places—*one hundred and six*—wholly or partially disfranchised by the first bill, while even in the new *Drummond scheme* Calne stood no higher than 77, Morpeth 83, and Tavistock 95, and Malton itself would have been the 106th sacrifice.* It became therefore highly *expedient* to curtail the disfranchisement. The pledges about 'the bill, the *whole* bill,' were forgotten. The schedules were reefed and Tavistock was itself again! But, oh painful necessity, half-a-dozen other places, formerly in the schedules, but now standing *around and above* Tavistock, must be preserved with it! There was no alternative—they must be saved, or Tavistock—dear Tavistock—must be lost! And they certainly have, as Lord Tavistock, with admirable *naïveté*, suggests, great reason to be grateful to Tavistock for their preservation—a gratitude, however, a little tempered by the consideration that Tavistock had at first doomed them as victims, and only saved them at last when their preservation had become necessary to its own. It would make a sketch worthy of H. B. to

* *Malton*, which was evidently the cause of the line adopted in the first bill, seems to have been all throughout an object of great solicitude—of which its position in the *Drummond list* is another curious proof. It stands in that list 110; and so, even if the schedules were maintained at their original numbers, would have been quite safe; but lo! we find in a subsequent paper this very curious note on the *Drummond list*:—'*Malton.*—The taxes were erroneously stated at 1301*l.* instead of 1031*l.*, and placed in the wrong column. The position which Malton occupies in the list *renders this mistake of no consequence.*'—*Par. Paper*, 1831, No. 19. Certainly of no consequence *if* the House should agree to abridge the schedules, but *otherwise* of vital importance, for it made Malton's true place on the list, not 110, but 106, which would have placed it in Schedule B. Is it not strange that the only mistake made in the whole calculation should be in the case of *Malton*? that a mistake, if made, should be *in favour* of Malton? and that the mistake should have been of such a nature as just to *save* Malton? And all this happened a year after it had already obtained the title of *Fortunate Malton!* 'Tis admirable!

exhibit

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exhibit *Calne* coming to the rescue of his neighbour *Chippenham*—*Morpeth* making a vigorous dash to save *Wallingford*—and poor little *Tavistock* wading for its life through the schedules with bulky *Tamworth* on its shoulders.*

We flatter ourselves that we have now sufficiently answered Lord Tavistock's appeal, both as relates to his own personal concern, and as to the defence of the borough of Tavistock which he has chosen to undertake,—with what success the public will decide; but before we conclude this discussion, we must observe that his lordship is pleased to characterize the observations in our last number as an attempt 'to *throw dirt*' on himself and his brother. The phrase is not such as we should have expected from Lord Tavistock—but *we* have no reason to complain of it—the dirt is not of *our* collecting; it is to be found in the reports of his lordship's own speech in the House of Commons—in the Duke of Bedford's answer to the address of Tavistock—and in the parliamentary records and returns for the borough of Tavistock. But when his lordship complains of *throwing dirt*, we would ask him, whether he ever read Lord John Russell's speech at Stroud, which was the provocation and subject of our observations? Was not *that* something very like *throwing dirt* by wholesale? Perhaps the Noble Marquis considers that *dirt* is not *dirt* unless it *hits* and *sticks*, and in that case we admit that Lord John's Stroud speech may be absolved from that character. We shall only add, in a phrase almost as familiar—but, we hope, somewhat less vulgar—that those who belong to houses with such an abundance of glass windows as Woburn Abbey, should not be the first to throw stones. The stones, indeed, which Lord John Russell can fling are but light missiles; but they came from an official height which gave them adventitious weight, and rendered it our duty, for the sake of the great interests and the illustrious characters which were so flippantly assailed, to return them upon the aggressor, and we cannot, without some degree of comfort, infer from Lord Tavistock's lamentations the force and efficiency of our blows.

Of our article not one of the statements has been, nor we believe can be, disproved. We have not a syllable to retract or

* Lord Tavistock says that he 'has never observed this important circumstance noticed by any of those whose political jealousy appears to be so often excited by the preservation of Tavistock.' His lordship is again unlucky, and seems doomed to be mistaken on all points. It has been frequently, and by ourselves, over and over distinctly stated, that the preservation of the *Cabinet boroughs* had had the so-far good effect, that it saved some Tory and some independent boroughs, whose cases could not by any art, trick, or delusion, be separated from those which the ministers had *à priori* determined to save. That acknowledgment we freely repeat—but we do not see that it helps Lord Tavistock's case.

qualify,

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qualify, and we cannot but express our thanks to Lord Tavistock for having forced upon us this opportunity of showing how 'utterly unfounded,' to use his own expression, are all the objections he has been able to make against us, and how completely he has failed to wipe away the *dirt*—since *dirt* he will have it to be—which was thrown on himself and his brother. We can honestly assure the noble marquis, that we feel great personal pain at not being able to arrive at a conclusion more satisfactory to his feelings, but we can neither express a conviction that we do not entertain, nor conceal opinions which it is our public duty to assert.

ART. X.—1. *Remarks on the Proceedings as to Canada in the present Session of Parliament.* By one of the Commissioners, 10th April, 1837.

2. *Plain Statement of the Quarrel with Canada, in which is considered who first infringed the Constitution of the Colony.* London, 1838.

3. *Hints on the Case of Canada, for the Consideration of Members of Parliament.* London, 1838.

4. *The Canadian Controversy; its Origin, Nature, and Merits.* London. 1838.

THE Whigs have opened their new parliament in the same spirit, but under still darker auspices than they had closed the old. There is the same system of low and tricky expedients—the same shabby abandonment of all public principle—the same pusillanimous dereliction of all public duty, and the same disgraceful oblivion of everything but the three great watchwords of the Whigs—*place, power,* and *party.* To keep place—to retain power—to favour party—are the main objects of every wily cabinet of the morning, and every manœuvring debate of the evening. Greece and Spain, Russia and Turkey, Ireland and Canada—Trade, Agriculture, and Manufactures—the rights of the rich—the welfare of the poor—public Justice—the Prerogatives of the Crown—the existence of a national Church, and an Established Religion—nay, the very integrity of the British Empire itself—are all pondered and debated in this wretched make-shift Cabinet by no other practical weights and measures than how to stay the stomach of Mr. O'Connell—how to parry the thrusts of Mr. Harvey—how to stifle the growls of Mr. Hume—and how to retain within the narrow pale of their majority the splendid names and talents of Mr. Pease and Mr. Potter, Mr. Pryme and Mr. Poulter; for at the

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the mercy of some half-dozen such people this mighty Reform Ministry pants at this moment—in an atmosphere of its own composition—for its asthmatic existence.

——— 'Tis the sport to have the Engineer
Hoist in his own petar ——'

and if the gravest interests of the country were not perilled by their monstrous imbecility, it would really have been *sport* to see the at once contemptible and ridiculous figures made by Lord John Russell and his colleagues in the late short session of their new parliament.

In the extreme verbal detail in which the debates are reported, much of the spirit evaporates—and all the pantomime is lost. The last session—three weeks by the calendar—three hours by the measure of business—three ages by the feelings of the ministers—could only have been adequately *reported* not by the pen but the pencil—not by shorthand but by sketches. The smirking conservatism of the Treasury Bench on the first night—the wry faces of its palinodes on the next—the hoity-toity triumph in the dawn of the debate on the Spottiswoode fund; the sneaking confusion during its progress, and the woe-begone despair at its conclusion! Lord John—the chief performer—was like a school-boy getting through Collins's *Ode on the Passions*, but reversing the order; for he began with *Cheerfulness* and *Hope;* then ran back the gamut to *Anger* and *Despair;* and at last, like the personification of Fear—

'He started back, he knew not why—
Even at the sound himself had made!'

and absolutely ran out of the House, followed by the whole Treasury Bench. The scene reminded us of Papirius Cursor's droll cross-reading of the newspaper—'*Yesterday a petition was presented to the House of Commons——but it missed fire and the villains made off:*' some of them (the *ministers*, we mean) escaped by one of the doors, but Lord John Russell was a moment too late at the other, and with a couple of downcast colleagues was sent back to the House to vote, and to vote, *infandum*, against the motion to which he had originally given his countenance—to which his followers had pledged their support, and on which the best hopes of the ministerial majority rested.

Then came the Civil List, the ostensible motive of the session. The Civil List had been settled, after a full consideration, by these very men, on the accession of King William. The only point of the Civil List on which any real difference of opinion had existed in 1830 was the Pension List, and that had been settled so much on the side of public economy—by diminishing the future amount by nearly one half—from 120,000*l.* to 75,000*l.*—and by the passing

so

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so recently as 1834 certain resolutions of the House of Commons controlling and limiting the power of the Crown in granting pensions—that no expectation could be entertained that an arrangement so economical, not to say parsimonious, and so recently and so solemnly settled, was now likely to be disturbed. Accordingly, Lord John Russell, on the first night of the session, expressed the determination of the government to abide by that settlement, and to resis tany attempt at a revision of the list.

But Mr. Daniel Whittle Harvey gave notice of a motion for a committee to inquire into the individual grounds of each of these pensions, and the weathercock ministry suddenly shifted right round. As long as they are fixed on the pivot of place, they care not which way they point, nor with what breeze they veer about. They now resolved to take the matter out of Mr. Harvey's hands, by proposing the committee *themselves*. This ridiculous change of purpose was as mischievous as ridiculous. An inquiry into the grounds and motives of the pensions, and of the individual services of particular pensioners, was a complete solecism. The pension fund was granted to the monarch for the exercise of royal *grace and favour*. Public services were always considered as belonging to another class, and were rewarded from time to time by public grants; but the Civil List pension fund was professedly placed at the disposal of the Crown, not merely for the reward of public claims, but also for its own *irresponsible* charity and bounty: to inquire, by a committee of the House of Commons, into the disposal of *such a fund*, with any view to the *public* merits of the recipients, is a positive contravention of the compact on which the fund was granted by Parliament to the monarch on the surrender of the hereditary revenue, and is, in fact, neither more nor less than an absolute and direct surrender of the *principle* of the grant.

Much better would it be, as we have seen remarked in an able journal, to have *no pension list at all*, than to have one which should bring the Crown into direct debate and constant collision with the House of Commons on every item of an expenditure *nominally* intrusted to the sole *discretion* of the sovereign. The monarchy could not survive a series of such litigation.

It might be very well for a member professing radical opinions to moot such a question: but by taking the matter out of Mr. Harvey's hands, and themselves moving the committee, the Ministers gave to this unprecedented inquiry the sanction of the *Crown* and of the *Government;* the principle on which the Pension List had been placed by the constitution was virtually abandoned—abandoned by the very parties who were most bound to defend it; and the royal authority was, in this additional instance, employed

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employed against the royal prerogative. We have heard it rumoured that all this arose from some juggle behind the scenes between the Chancellor of the Exchequer and Mr. Harvey. We know not how that may be, but this we know, that with our best attention, we could not discover any difference, either *theoretical* or practical, between the speeches in which Mr. Harvey supported his motion and that in which Mr. Rice opposed it. Mr. Rice was, we have no doubt, anxious to do his duty to the Crown, and he professed his strong opinion to be against the revision of the list. Why, then, did he not adhere to the first resolution of the Cabinet, which, besides its intrinsic propriety, rested on the recent settlement of the question by the first reform ministry, and by the resolutions of the House of Commons in 1834? No two opinions could, we suppose, be more opposite to each other than those of Mr. Rice and Mr. Harvey, but judging by their speeches, they seemed to us to travel by the same road and to have arrived at the same end.

This would seem to exhaust inconsistency:—not so; contrary to all precedent, the member who proposed the Committee was, on some pretence, excluded from it, and by this ill-judged and invidious distinction the ministers have contrived to lose even the small advantage they might have promised themselves from the Committee; because, assuredly, Mr. Harvey will not be propitiated by such an inquiry, and those—few in number, but loud in clamour—who participate in Mr. Harvey's opinions on the subject, will be additionally vociferous when they see, or fancy they see, that the government was too timid to refuse an inquiry, and too conscious to grant a *bonâ fide* one. We hesitate not to say that in the whole of this miserable juggle the Ministers have betrayed their duty to the constitutional rights of the sovereign; and when we recollect the extreme youth and inexperience of the Queen, and the extent of restriction and sacrifice to which this legerdemain seems likely to expose the probably long life of her Majesty, we feel something higher than mere *political* indignation at such, as it seems to us, tergiversation and treachery.

But a more urgent and important instance of their incapacity and cowardice has burst upon the astonished public in the case of Canada. We shall not attempt to go through the long series of facts and reasonings on this subject which are to be found in the various works, the titles of which we have placed at the head of this article. We are not now about to discuss the details of the Canadian question as between this country and the colony, but as between this country and the ministry, which, by its characteristic and systematic alternation of advance and retreat, of bluster and sneaking, has been the main cause, beyond all other

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other causes, of this deplorable rebellion. Lord John Russell made, on the 16th January, a long speech (six columns of the 'Times') on the subject of Canada—one of the most unstatesmanlike, narrow-minded, and inconsistent expositions and exposures we have ever read from a British minister; a speech which, affecting a certain historical tone, details every possible cause of the difference between the parties—except the *real* one; and elaborately examines every point of the case—except *that* on which the whole turns. That real cause is neither more nor less than *the determination of the House of Assembly of Lower Canada to throw off the* BRITISH AUTHORITY, *and to erect the province into an* INDEPENDENT REPUBLIC, *after the manner and model of the* UNITED STATES.

That such would probably have been the *result* of a successful rebellion, whatever were its *cause*, any one might guess; but in the present case 'the wish was father to the thought,' and the real grievance of the Canadians, and the real source of their dissatisfaction, may be told in one word—the *monarchical sovereignty of England.* To throw off this—the lightest yoke and the easiest burden that ever colony bore—is the sole principle of the Canadian revolt, and they are *egregiously mistaken who attribute it to any minor causes.*

It may be asked, what can have altered, within so comparatively short a period, the loyalty of one of the happiest and, we believe, best governed (as far as England is concerned) provinces in the world? The Canadian advocates have a theory that every colony *must*, as soon as it thinks itself strong enough to walk alone, throw off the trammels of the mother country: they allege that Canada has reached that point;—nor do we doubt that the great and growing prosperity of the colony, and the neighbouring example of the United States, afforded the revolutionists plausible topics of seduction; but every thinking man in Canada was aware that the country was not ripe for nationality, and that its prosperity was essentially dependent on its connexion with England. In point of political feeling also, there had been really the reverse of any fondness for *American* institutions; and, in short, the real and immediate cause of the revulsion of public opinion in Canada was, the recent triumphs of the revolutionary principle in Europe, the success of the July barricades in France, and above all, the subversive doctrines and practices of the English Whig ministry. These have concurred to remind the French Roman Catholic Canadians of their foreign origin and difference of religion, and given them at once the desire and the hope of making themselves an independent people; while the growth of the British interest amongst them, and particularly

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ticularly in Upper Canada, has given additional umbrage to the French population, and the intrigues of factious demagogues in London, who trade in disorganization, have afforded them encouragement and supplied them with excuses. These are the causes which have led to the extension of the republican principle in Lower Canada, and that principle has led to five or six years of paper war, and now to a revolt in the field.

Of this, the clear, certain, and almost avowed motive of the insurrection, Lord John Russell does not, according to the long report which we have read of his speech, take any notice. Instead of seizing the leading thread of the maze, he bewilders himself and his hearers (or at least his readers) with a detail of alleged grievances on minor subjects, and of a series of what he seems to consider as *individual* acts of perverseness and obstinacy on the part of the Canadians: which is just as rational and as fair as if some historian of Lord John's last advent to office should, on the occasion of the opening of the new parliament in 1835, enter into a disquisition as to whether Mr. Abercrombie or Mr. Manners Sutton had the stronger claims to the chair of the House of Commons;—or whether it was or was not wise to grant a charter to the London University;—or whether it would have been a good bargain for the Protestant parsons of Ireland to recieve 70*l.* per cent. on their income; and should detail and comment upon the right and the wrong of all these topics, without saying a syllable of Sir Robert Peel's administration, or of the real and single design of all the aforesaid propositions, namely, the overthrow of that ministry.

Without having any great respect for the scope of Lord John Russell's mind, we are convinced that he could not but have seen the imperfection, nay, the absurdity, of this mode of treating the subject; but his *evasion* of the real question was another instance of the ministerial system of shift and subterfuge which characterizes all their policy and constitutes their only talent: by the elaborate enumeration of the *successive* and *distinct* features of the discussions, the ministers hoped to account for their own vacillation and negligence. 'How,' Lord John Russell's speech seems to suggest, 'could we foresee a civil war arising out of a judge's salary—or an assertion of national independence on a mere question of the law of tenures?' But a wise minister in considering, and an able statesman in explaining these matters, should and would have seen that those were not *insulated* and *accidental* questions, but parts of *one continuous system of encroachment and aggression on British authority.*

> 'These things, indeed, they have articulated,
> Proclaimed at market-crosses, read in churches,

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To *face* the garment of rebellion
With some fine colour.'

But the dullest eye might have detected the '*rogue's-yarn*' throughout the whole patchwork of pretended grievances.

In the best governed colony or country, current circumstances will, in course of time, outgrow early legislation, as children outgrow their clothes, and these partial anomalies constitute what it is now the fashion to call *grievances,* though, in general, they would be better described as inconveniences. Of these it is not denied that some—fewer indeed than might have been naturally expected—had grown up in Canada; but was England to blame for their growth? or did she either neglect or protect them? Quite the reverse. Under the Duke of Wellington's government in 1828, a committee of the House of Commons was appointed, on a petition from the colony, to inquire into the whole state of Canada. With the report of that committee, the House of Assembly, by its address of November, 1828, expressed its grateful and *entire* satisfaction, and accepted it as a kind of Canadian *Magna Charta;* while the government, notwithstanding the difficulties of affairs at home, proceeded to carry all the recommendations of the committee into effect; so that—to use the words of the author who has given the best historical detail of the matter—

'In 1832, the time had arrived when the government could confidently say, that there was *not one* of the recommendations of the Canada Committee, depending on the power of the Crown, which was not *fulfilled;* that there was *not one* depending on the British Parliament which was *not accomplished, and more than accomplished;* and that so far as any of the recommendations required the co-operation of the Provincial Legislature, the assent of the Government had been freely promised to any measures they would adopt for the purpose. Strange to say, however, several of this last class of recommendations remain unexecuted. *So long as grievances afforded a topic of declamation against the Government, they were pursued with all eagerness and impetuosity;* when no more could be done with them than relieve the people from an alleged evil, the Assembly *suddenly became quite lukewarm and indifferent to the subject.*'—*Canadian Controversy,* p. 11.

Thus it was that, when *all real grievances were redressed and extinguished,* the House of Assembly began a new course of agitation on the theory of *national independence.*

On the 21st February, 1834, the House of Assembly passed ninety-two resolutions, which Lord John Russell thus characterizes:—

'The course which the House of Assembly had taken was to pass ninety-two resolutions, some of them of grievance, some of them of violence, some of them of vituperation, some of them against individuals, some

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some of them against the governor of the province, some of them against the government at home, but all of them amounting to a long and vehement remonstrance, and in framing that remonstrance they consumed the whole session, and separated without passing a single vote of supply at all.'—*Times*, 17*th January*, 1838.

These resolutions were certainly all that Lord John says of them, but they were a great deal more, as Lord John and his colleagues well knew, and as it was therefore his Lordship's duty, in common fairness, to have told his audience. We have said that we do not intend to enter at length into the details of the Canadian question, which, indeed, would be idle, for the details are only the '*facings*' of the real '*garment of rebellion*,' but a few preliminary words will be necessary to explain the conduct of the ministry.

At present the Canadian provinces have a constitution conferred upon them in 1791 by a British Act of Parliament—that celebrated *Canada Bill*, which was the immediate occasion of the public rupture between Mr. Burke and Mr. Fox, and the debate on which affords an additional proof of the philosophical prescience of Burke, and of the democratic and subversive principles of Fox. Indeed, from Mr. Fox's speech on that occasion, the Canadians now draw the main pretences of their rebellion.

In that constitution the King is represented by the Governor and an *Executive Council*, the House of Lords by a *Legislative Council* named by the Crown for life, and the House of Commons by an *Assembly* of the representatives of the people.

The Bill of 1791 gave the House of Assembly the control over almost all the colonial revenues—reserving however to the Crown one small class of the ordinary revenues, which at the desire of the Canadians themselves had been appropriated, by an act passed in 1774, to defray the expense of the civil government, in lieu of some old and onerous feudal revenues of which the colony complained—and reserving also, of course, the whole of the territorial revenue and possessions which attach to sovereignty. For the management of the *whole* of the colonial revenues the House of Assembly became year after year more and more urgent, and at length Lord Grey's government were over-persuaded to accede to the demand, on the condition that the House of Assembly should vote a civil list for the maintenance of the civil government, which had been hitherto defrayed out of the surrendered revenues;—but that concession only encouraged instead of allaying the discontent—they never passed the promised civil list, and they then, as now, demanded, 'as their undeniable right, as representatives of the people,' all the territorial revenues and rights of the Crown within the province, without any corresponding engagement

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gagement on their part to defray the necessary expences of the colony—in short, the *practical sovereignty of an independent state;* and this demand, and some others of the same tendency, not having been complied with—they adopted Lord Chancellor Brougham's celebrated hint of *stopping the supplies,* and depriving all the servants of the Crown, and all the functionaries of the State (even the judges) of the means of existence, and have persevered ever since in doing so.

After these observations, our readers will the better understand some of the *ninety-two* resolutions which we think it right to lay before the public, as Lord John not only did not allude to them, but seems to have endeavoured to turn our attention in another and less important direction. Our readers will see that, throughout a long web of inconsistency and *rigmarole,* there may be traced the *rogue's yarn* of a design to establish the American constitution in lieu of British connexion :—

'Resolved, That this House is nowise disposed to admit the excellence of the present Constitution of Canada, although his Majesty's Secretary of State for the Colonies has unseasonably and erroneously asserted, that it has conferred on the two Canadas the institutions of Great Britain; nor to reject the principle of extending the system of frequent elections much further than it is at present carried; and this system ought especially to be extended to the Legislative Council, *although* it may be considered by the Colonial Secretary incompatible with the British Government, which he calls a Monarchical Government, or too analogous to *the institutions which the several States, composing the industrious, moral, and prosperous confederation of the United States of America, have adopted for themselves.*'—*Resolutions,* 21 Feb. 1834, § 14.

We pause here for a moment to observe, that throughout these discussions the disrespectful and hostile tone of the House of Assembly against the two Secretaries of State under Lord Grey's administration—Lord Ripon, and Lord Stanley—but particularly against Lord Stanley—are the highest testimony to the official merits—*towards the British empire*—of these two noblemen.

A proposition had been made before these resolutions (March, 1833), by the Assembly, conceding that if the legislative council should be made *elective,* a high property qualification of elegibility should be added—that poor concession they now retract :—

'Resolved, That in requiring the possession of *real property* as a condition of eligibility to a *Legislative Council, chosen by the people,* (which most wisely and happily has not been made a condition of eligibility to the House of Assembly,) this House seems rather to have sought to avoid shocking received opinions in Europe, where custom and the law have given so many artificial privileges and advantages to birth, and rank, and fortune, than *to consult the opinions generally received in America,*' &c.—*ibid.* p. 42, § 13.

 'Resolved,

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'Resolved, That the Parliament of the United Kingdom, in granting to his Majesty's *Canadian* subjects the *power of revising the* CONSTITUTION under which they hold their dearest rights, would adopt a liberal policy, free from all considerations of former interests and of existing prejudices; and that by this measure, equally consistent with a wise and sound policy, and with the most liberal and extended views, the Parliament of the United Kingdom *would enter into a noble rivalry with the United States of America, would prevent his Majesty's subjects from seeing anything to envy there;* and would preserve a friendly intercourse between Great Britain and this province, *as her colony so long as the tie between us shall continue, and as her ally whenever the course of events may change our relative position!*'—*ibid.* p. 44, § 21.

'As a *colony*' forsooth!—why, if these propositions were granted, she would have been no more a colony of ours than New York or Pennsylvania. She would have been in every possible view as independent as they; unless, indeed, out of her great bounty she might still vouchsafe to us the expense, risk, and responsibility of her external defences against the encroachments or aggressions of America or France. She would leave us the pleasing *chance* of a couple of wars for her protection, but *not a jot more.*

'Resolved, That the *neighbouring* STATES have *a form of government very fit to prevent abuses of power, and very effective in repressing them; that the reverse of this order of things has always prevailed in Canada under the present form of government;* that there exists in the neighbouring *States* a stronger and more general attachment *to the national institutions than in any other country*, and that there exists also in those *States* a guarantee for the progressive advance of their political institutions towards perfection, in the revision of the same at short and determinate intervals, *by conventions of the people*, in order that they may without any shock or violence be adapted to the actual state of things.'—*ibid.* p. 54, § 41.

'Resolved, That the constitution and form of government which would best suit this colony *are not to be sought solely in the analogies offered by the institutions of Great Britain*, where the state of society *is altogether different from our own;* and that it would be wise to turn to profit the information to be gained by observing the effects produced by the different and infinitely varied constitutions which the Kings and Parliament of England have *granted to the several Plantations and Colonies in America*, and by studying the way in *which virtuous and enlightened men have modified such colonial institutions* when it could be done with the assent of the parties interested.'—*ibid.* p. 51, § 48.

'Resolved, That the unanimous consent with which *all the* AMERICAN STATES *have adopted and extended the* ELECTIVE *system, shows that* it is *adapted to the wishes, manners, and social state of the inhabitants of* THIS CONTINENT.'—*ibid.* p. 51, § 44.

Here, we think, are pretty pregnant instances of a very different and much higher kind of pretension than could be gathered from the

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the expressions (however just in minor respects) with which Lord John Russell so inadequately characterized these Resolutions.

When the Canadians found that these first *theories* of treason were received without reproof, they grew bolder—and in the next year, enforced them in the following paragraph of an address to the King:—

'When we solemnly repeat, that the principal object of the political reforms, which this House and the people of this province have for a great number of years used every effort to obtain, and which have frequently been detailed to your Majesty, is to extend the *elective principle to the Legislative Council*, a branch of the Provincial Legislature which, by its opposition to the people, and by reason of its imperfect and vicious constitution, has proved insufficient to perform the functions for which it was originally created; to render the *Executive* Council directly *responsible to the representatives of the people* [of Canada], conformably to the principles and practice of the British Constitution as established in the United Kingdom;—to place under the wholesome and constitutional control of this House *the whole public revenue* raised in this province, from whatever source derived;—to obtain the repeal of certain Acts passed *by the Parliament of the United Kingdom, in which the people of this province are not represented*, with regard to the internal affairs of this province, making its territory and best resources the subject of unfair speculation and monopoly, and which we hold to be a violation of the rights of the Legislature and of the people of this Province. . . . . When we say we respectfully *repeat to your Majesty these our demands, and to declare our* FIRM INTENTION TO PERSEVERE IN *asking them, as being* ALONE *calculated to ensure the liberty, peace, and welfare of this Province*, and the confidence of the people in the Government, and to cement their political union with the United Empire, *we can scarcely fear that we should not be understood* by your Majesty.'—*Address*, 1836, pp. 25, 26.

Certainly the fear that this language should be misunderstood, might seem superfluous—but whatever his Majesty may have done, his ministers have either greatly misunderstood or grossly misrepresented it. But they proceed—

'At the head of the reforms which we *persist* in considering as essential, is the introduction of the principle of *popular election* into the constitution of the Legislative Council. . . . . *Any partial reform*, which shall stop short of the introduction of the elective principle, will *be altogether insufficient*. . . . . We would respectfully pray your Majesty to remark, that the influence which prevailed in the Councils of the Empire, at the period when the Act of 1791 was passed, was calculated to give an *undue preponderance to the aristocratic principle*, while, IN AMERICA, the *independent state and the progress of society, repelled any doctrine of this nature, and demanded the extension of the* CONTRARY *principle*.'—*Address*, 1831, p. 27.

And lest this should run any risk of being misunderstood, another

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address to Lord Gosford of the 3rd of October, 1836, urges the same claims in language equally determined :—

'We still believe it to be our duty, as well as for the advantage of the people, to *persist* in the *same demands*, in the *same declarations*, and particularly in the *demand* of an *Elective Legislative Council*.'—p. 19.

They then proceed to demand the '*pure and simple repeal*' by the British legislature of the Tenures Act, and of an Act for establishing a Canadian Land Company, against which latter they make a very significant objection :—

'We shall merely add, that every day convinces us the more that the principal tendency of that Company is to maintain that *division of people against people*, amongst the different classes of His Majesty's subjects, which has, in common with all the evils resulting therefrom, been fostered in times past, with too much success, by corrupt administrations.'—p. 21.

That is, the Canadian Land Company will introduce a fresh supply of *British* settlers, who will, as the Assembly very naturally suppose, increase the influence of the mother-country, and will help to counterponderate what Lord John Russell now assumes the small courage of abusing as '*the Papineau faction*.' They conclude by reiterating their *determination to accept of nothing short of their demands*, and they announce to the Governor that they have *resolved to suspend all their own proper public duties* (that is to suspend the constitution under which alone they have any existence) till their demands, and, above all, the *organic change in the Upper House* shall have been conceded. (*Address of the 3rd of October, 1836, passim.*)

That our construction of all these minatory passages is not strained, and that they all meant and were understood to mean nothing short of the assertion of national independence, is further proved by a letter of Mr. Joseph Hume's to Mr. Mackenzie so early as March, 1834, and communicated to the public in the Times of the 16th July following :—

'Your triumphant election on the 16th, and ejection from the Assembly on the 17th, must hasten that crisis which is fast approaching in the affairs of the Canadas, and which will terminate in *freedom and independence from the* BANEFUL DOMINATION OF THE MOTHER COUNTRY, *and the tyrannical conduct of a small and despicable faction in the colony*.'

And we have further the direct assertion of the author of the *Canadian Controversy*, who evidently writes from Downing Street, under official countenance, and with official information, that the Address of February, 1836, had brought the quarrel to 'an *incurable* pass.' (*Can. Con.* p. 26.)

We will now take the liberty of asking our readers if they can recollect to have heard or read of any man pretending to the name

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name of a minister of this country who could have made a speech of six columns—such speeches are best measured by space—without any allusion to those hints—those warnings—those menaces of an imitation of the American example? If Lord John's speech were anything like a just statement of the case, we should say at once that the proposition by these modern Whigs of stifling local and administrative grievances by a Dictatorial Revolution, was the most absurd and monstrous that these wholesale dealers in absurdity and monstrosity had ever exhibited to a wondering world. What!—because there has been a difference between two parties—Protestant and Popish—a scuffle of authorities—and a rescue of prisoners—the constitution framed by Mr. Pitt and signed by George III. is to be suspended as too liberal, and a *dictator*—the first since Julius Cæsar—created in the person of Lord Durham! Lord John Russell's speech affords but poor pretexts for such an extreme measure; but the common sense of the House of Commons and the public filled up the ministerial leader's feeble outline—he talked of '*remonstrance*' where they saw a *manifesto*—he pottered about '*grievances*' when they saw treasonable *pretences*—he prattled of '*tenures and land companies*' when they saw a *rebellion* against British Sovereignty—and at the conclusion of a speech which might have been a judicious explanation of an O. P. row, or a fit introduction for a New Police Bill, they helped the minister to the conclusion at which his premises never could have arrived, and Canada, accused of ill-temper, was convicted of rebellion, and a constitution—which, *as the case was stated,* would have deserved at most Lord John's habitual punishment of a *reform*—was sentenced to annihilation! *temporary* annihilation, we are told—as if these state jugglers (like Mr. Ingleby), after appearing to destroy the *Knave of Clubs,* could produce him at the next moment as whole and sound as if nothing had happened. What miserable pusillanimity and falsehood!—because a few shots are fired by an excited mob in an attempt to rescue two prisoners, these gigantic measures are produced, while the solemn and reiterated manifestoes of *rebellion* by the House of Assembly, an authorized and authoritative power, are for several years wholly neglected, and at last slurred over as if they had been only such a peevish exhibition of folly and nonsense as the Queen's minister *himself* made last autumn!—When Lord John Russell accuses the leader of the Canadian House of Commons of making charges, 'some of them of violence—some of them of vituperation—some of them against individuals—some of them against governors—some of them against government in general;' he seems to forget his own speech at Stroud, of which this description of Mr. Papineau's resolutions is but a faint sketch,

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sketch, and which would just as much have justified the suspension of the constitution of England and the appointment of a *dictator*, as—*according to his lordship's version*—the proceedings in Canada.

We trust we may not be misunderstood—we are so far from denying the right of this country to interfere with a high hand, that we think the right—*the duty* of doing so, occurred long ago—that the right accrued in 1832, when the House of Assembly refused to perform its constitutional functions of providing for the government of the province—but that it became the *imperative duty* of ministers, when the House of Assembly informed the Governor by its address of the 3rd of October, 1836, that it would adjourn its deliberations till its unconstitutional demands were complied with. These—the *overt acts* of the *theories* of treason by which they were preceded and accompanied—are the real grounds of our interference, and not the smaller and ancillary circumstances on which the ministers now rest their measures.

Why then this long apathy? Why, when ministers saw the mine a-digging—why, when they saw the train a-laying—why, when they saw Guy Fawkes preparing his matches and lighting his lanthorn, they were perfectly quiescent—not to say acquiescent! but when an unlucky *accident* caused a partial explosion, they cry out 'gunpowder plot!' and punish not only a whole class, but a whole country for conniving at a treason, at which they themselves for half-a-dozen years appear to have connived—why was this? Why, when it was openly declared that the American constitution was the object of the malcontents—an object which could not be attained without an insurrection—why were not the British forces adequately increased, and the *loyal* Canadians adequately encouraged? Why, when the House of Assembly *had annulled the Constitution* by suspending its proper functions and disorganizing the government,—why were not measures *immediately* taken to restore the Constitution and to restore the government? Was there ever a case in which the general maxim were more just—'*si vis pacem, para bellum?*'—True in all wars, it is to a civil war that it is peculiarly applicable, and most peculiarly when that civil war is announced by progressive symptoms, which symptoms are certain to become, by neglect, the substantial disease. A sudden outbreak, caused by practical grievances, cannot be guarded against; but the *fermentation of theoretic treason* would have been corrected by an early display of determination and power on the part of the government. Two regiments—one regiment—a gunboat—anything that would have convinced the Canadians that England *saw their design, and was resolved to defeat it*, would have dissipated that design and averted the lamentable consequences

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quences which have followed the contrary policy. We entirely concur in the Duke of Wellington's admirable aphorism—'*A great country cannot make a little war*'—but we think his Grace would also agree with us that small but early indications of resolution and strength, will often avert great calamities. Prevention is better than punishment; and, by shutting their eyes and ears to the hostile menaces of the Canadians, the Government only encouraged the poor wretches to precipitate themselves on destruction. Why then, we ask again, this incomprehensible apathy? It may be very well for Lord Brougham to say that '*Lord Glenelg was asleep*,'—but if he was, the sleep was infectious, and extended itself to both the Cabinet and the Senate; Lord Melbourne had fallen asleep over the petitions to the English *Treasury* from the starving functionaries of the colony—and Lord Palmerston over a *précis* of the *Boundary-line* discussion;—Lord Minto was asleep over the purser's accounts of the *single sloop* of war in Halifax Harbour; and Lord Howick over the *non-effective* returns of the *garrisons* in Nova Scotia—Lord John Russell and the House of Commons were dozing away a speech of Mr. Hume's on the reduction of our forces by sea and land; and, most wonderful of all, that mercurial magistrate, the Lord High Chancellor *of the day*—must himself have been—*somno, vinoque sepultus*—fast asleep by the side of his noble 'FRIEND'—the Colonial Secretary—in short—

'Lost was the nation's sense, nor could be found,
While the long solemn unison went round:—
Wide and more wide it spread through all the realm;
Even *Palinurus* nodded at the helm:
The vapour mild o'er each *Committee* crept;
Unfinished Treaties in the *office* slept;
The *chiefless Armies* dozed out the campaign;
And *Navies* yawned for orders on the main!'

This would be bad enough; but we heartily wish we had so comparatively innocent an excuse for ministers as to believe their *sleep, real.* It was, we are convinced, only a *fox's sleep*, to conceal their incapacity and pusillanimity: for here is the true solution of the enigma. The 92 resolutions conclude with the following passages:—

'Resolved, That this House learned, with gratitude, that *Daniel O'Connell, Esq.*, had given notice in the House of Commons in July last, that during the present Session of the Imperial Parliament, he would call its attention to the necessity of reforming the Legislative and Executive Councils in the two Canadas; and that the interest thus shown for our own fate by HIM whom the gratitude and blessings of his countrymen have, with the *applause of the whole civilized world*, proclaimed GREAT and LIBERATOR, and of whom our fellow-countrymen entertain

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eptertain corresponding sentiments, keeps alive in us the hope that, through the goodness of our cause and the services of such a friend, the British parliament will not permit a minister,' &c.—*Address, p.* 66.

'Resolved, That this House has the same confidence in *Joseph Hume, Esq.*, and feels the same gratitude for the anxiety which he has repeatedly shown for the good government of these colonies, and the amelioration of their laws and constitutions, and calls upon the said Daniel O'Connell and Joseph Hume, Esqrs., whose constant devotedness was, even under a Tory ministry, and before the reform of Parliament, partially successful in the emancipation of Ireland from the same bondage and the same political inferiority which menace the people of Lower Canada.'—*ibid.*

The old pagan and popish doctrine of *sanctuary* is, it seems, in full force at Downing Street; and those who could touch the sacred images of *St. Daniel* and *St. Joseph*, were allowed the immunities and impunity of asylum, while the poor wretches who put their trust in St. George or St. Denis are made the victims of their erroneous confidence in the *far-niente* consistency of her Majesty's—we should have said ridiculous—ministers, if the blood stain did not obliterate ridicule.

But that blood! Whose consciences ought that scalding blood to blister? Mackenzie's? Papineau's? Would that we could think so! Sir Hussey Vivian, the Master-General of the Ordnance, in a gallant and soldierlike speech, on the 16th January —the more gallant from the badness and hopelessness of the general cause for which he fought—told Mr. Joseph Hume, '*that his conduct in this affair reminded him of the case of a certain Mr. Martin, who prophesied, that in seven days York minster would be burned down; and well might he prophesy—for he was detected in setting fire to the sacred edifice at the appointed time.*' The cut was admirable, and inflicted with the nerve and edge of one of the Duke of Wellington's *beaux sabreurs*, but in the *melée*, Sir Hussey unluckily mistook his man—he cut down a poor busybody of a surgeon, instead of one of the general officers, who, if he had had time to look about him, he would have seen to be within an easier reach of his blow.

To explain all this more fully, we must revert to some proceedings of the government at home, by which it will appear that on every occasion Lord Melbourne's Cabinet were—with as great and as *opportune* an effect as if it had been designed—playing the game of the disaffected, and strengthening Mr. Papineau's hand. Before Lord Stanley had left the Colonial office, his vigorous mind saw and determined to meet the danger. He introduced into the House of Commons a bill for repealing the act of 1831, which had granted the entire control of the Colonial revenues to the Assembly, and which grant they had so shamefully abused. The reluctance

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reluctance of his colleagues to support him in this just and politic measure, obliged Lord Stanley to suspend the progress of the bill, which, on the succession of Mr. Spring Rice to the Colonial seals, was finally abandoned, 'on an *understanding*,' says the author of the *Canadian Controversy* (p. 24), 'that a supply bill should be passed for the *two years that were due*.' This miserable attempt at a compromise had the success it deserved. Lord Stanley's bill was given up; but instead of the promised bill of supply, the House of Assembly reiterated its insulting resolutions—of which no further notice seems to have been taken by Lord Melbourne's first administration; but, on the accession of Sir Robert Peel to power, Lord Aberdeen, to whom the Colonial seals were most judiciously entrusted, lost no time in adopting a course of policy at once discreet, conciliatory, and effective. The peculiar circumstances of that administration—its defeat on the first meeting of Parliament—and the factious arts by which its short existence was harrassed, would have perfectly justified Lord Aberdeen in declining to enter on so complicated a question, which it was clear he would not be permitted to adjust and in leaving so delicate a matter altogether to the hands which had begun, and were destined so soon to resume it. But that administration were determined to shrink from no duty, however hopeless they were of being allowed to perfect it—Lord Aberdeen accordingly prepared instructions, which, without proceeding so far as the case (which had not yet attained its height) might have warranted, recorded the principles on which a government, *capable of governing*, should have looked at the transactions—and for their execution he selected as Governor-general, Lord Amherst, a nobleman who, although voting with the Melbourne ministry, was chosen by Lord Aberdeen as a person of acknowledged fitness for an office requiring manners, temper, experience, and firmness—and the Colonial Minister prepared for him instructions which were, in sum, to redress anything that could be complained of as a *grievance*, but to resist and put down everything that should look like *rebellion*. But before Lord Amherst could sail, the *Lichfield-House compact* restored the Whigs to power—Lord Amherst's commission was superseded—his instructions cancelled—and a Commission of *Inquiry* was issued—at the head of which was placed the Earl of Gosford—a person wholly inexperienced in public affairs, and only known in political life by the silent votes which he gave to the Whig ministries. With Lord Gosford were joined Sir Charles Grey, late Chief-Justice of Calcutta, and an officer of engineers. Sir Charles Grey's would have been in every respect a fit appointment, if the Commission of Inquiry had been a fit proceeding; nay, if *he* had been sent out alone as a governor, with powers to

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to act, he would have been worth twenty Lord Gosfords—but as it was, he made the voyage—opened his commission—saw its absurdity—experienced its nullity—and returned not merely *re infecta*, but *re multò ingravescente*, to publish the '*Remarks*'* quoted at the head of the article, and to record his valuable opinion of the erroneous policy of the ministry. Of that policy, as contrasted with his own intentions, Lord Aberdeen gave his opinion in the House of Lords, so early as the 12th of June, 1835:—

'He would not enter into a detail of the nature and form of Lord Amherst's instructions—it was sufficient to say they were in strict conformity with the declarations he had formerly made in the House, and embraced the largest possible measure of conciliation, consistent with what was indispensable for the maintenance of the *King's dominion* in the province. Short of that point, the instructions proceeded on a principle of the utmost liberality. When he talked of large and liberal concessions, their Lordships were not to presume that sacrifices were to be made by this country, for it would be unjust to infer that what was conceded to Canada was lost to England. He could not conceive what interest this country could have in refusing large and liberal concessions,—legislative assemblies were not to be treated as children and entirely directed from this country, but should be left to the enjoyment of the utmost freedom, *consistent with the maintenance of the King's dominion*.'

This was, it will be admitted, sufficiently conciliatory—what follows is prophetic:—

'He heard a commission was to be sent out—a course which appeared to him not only useless, but worse than useless.—[Hear, hear.]—It might be a fit thing in this country in moments of timidity, in order to get rid of a difficulty, to appoint a commission of inquiry, which he understood the new commission was to be, but in this case a commissioner ought to go out *ready to act*, and a *commission of inquiry* was *worse* than useless. It was competent to and incumbent on the government to decide *at once* on all important matters now at issue in Canada; there were but few, and those trifling matters, on which further inquiry was required—the time was now come for *prompt and immediate action*.'

This warning voice was disregarded, the commission of inquiry was sped, and Downing Street relapsed into its *fox's sleep*.

At length, however, the destitution of the public servants absolutely starving in the Colony—the rapid disorganization of all the authorities, and the bewildered impotence of Lord Gosford to meet the exigency, awoke her Majesty's ministers from their slumbers, whether real or feigned, and forced them to try to do *something*. Sounding, no doubt, as deeply as the small plummets of their brains enabled them, the increasing depths of the Canada question, they prepared ten resolutions,

* Sir Charles's *name* is not on the title-page, but it is clear that he is the author.

which,

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which, on the 6th of March, 1837, Lord John Russell proposed to the House of Commons. These resolutions have turned out to be so mere a nullity, and were framed in a spirit so wholly inadequate to the exigencies of the occasion,—that it would be an idle waste of time and space to insert them; they died still-born, like so many others of—

> 'The unaccomplished works of *Russell's* hand,
> Abortive—monstrous—or untimely mixed.'

Suffice it to say, that, like the recent ministerial speeches, they kept the real objects of the Canadians, as much as possible, out of sight: and that in fact they were all, except the 8th, concessions to the democratic clamour—and even that *eighth* resolution professed to do *no more* than apply certain monies—which had been previously and unconstitutionally *empounded* by the House of Assembly—to the *legal purposes for which the said monies had been originally levied.*

On the first night the debate was lengthened out and adjourned till the 8th, but not until it had been ascertained that there would be a large majority to support the ministers. On the 8th, the first three or four of these mawkish resolutions, to which the Canadian Assembly would hardly have objected, were passed by large, and what would have been to any other ministers, encouraging majorities; but when the necessary logical and political conclusions from the premises were to be assented to, the advocates of the Canadians insisted on a postponement—Colonel Thompson stated, that 'he would purchase *delay at a guinea a minute.*' This honest warning would of course urge and stimulate the government to allow, not one hour, not *one guinea's worth* of delay? No such thing—the motion for delay was beaten successively by large majorities—but nothing terrifies the weak like the appearance of their own strength. The ministers gave way—the delay was obtained—the eighth resolution was adjourned—on the appointed day Lord John Russell was unable to attend the House—*indisposed*—another day was named—some prior and paltry notice intervened—another day was named—a like obstacle—and at length the resolutions seemed postponed *sine die.* On the 10th of April, Sir Charles Grey published his '*Remarks,*' showing the fatal effects that would probably ensue from the hesitation of the ministers to pass these resolutions—particularly the 8th. This or some other stimulus again goaded the ministers into momentary exertion—the other resolutions were passed in the Commons, transmitted to the Lords, and then passed, with the single dissent of Lord Brougham. But all this apparent facility and success was incapable of inspiring courage or even consistency into the ministers—the resolutions thus

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thus tardily passed were virtually abandoned—no bill was introduced on them—and the Canadians, after having been exasperated by their production, were encouraged by the evident fear of the Government to carry them into effect. What was—what could be the result—the only possible result? The 'Papineau faction' saw that the ministers were bewildered, 'perplexed in the extreme,'—that in their whole conduct there was but one thing certain, namely, that they were alike incapable of conciliation or of repression, and that if ever there was a time for successful insurrection, it was while the Government was in such rash, timid, and incapable hands—now or never!

But this was not the whole of the encouragement given by the Government to the incipient rebels. While these Resolutions had been thus hung up for above three months, the late King died, and a general election took place. It happened that one of the candidates for Westminster was Sir George Murray, late Secretary of State for the Colonies, whose administration of them, and particularly of Canada, had been (as that of Lord Aberdeen subsequently was) so wise and just, so temperate and firm, that it is now admitted, even by the advocates of the insurgents, that had Sir George or his Lordship continued in office, the rebellion would not have broken out. It happened also that a Mr. Leader, almost unknown as a public man, except by the violence with which he advocated the Papineau cause against Lord John Russell's Resolutions, was another candidate for Westminster—the seat—as the poor Canadians would be reminded—of *government*. What did the Government? Why, it exhausted every engine of power—nay, it abused in the most flagrant manner the sacred name of the young Queen—to enable Mr. Leader—already the advocate, and now the agent, of what Lord John Russell calls the 'Papineau faction'—to defeat Sir George Murray, the, at once, loyal and popular Secretary of State. We believe that we may further assert that every other member who had taken a decided part *against* the Government on the Canada resolutions, was the *government candidate* at the general election. Of the declarations in the House of Commons made by some of those gentlemen, of pleasure at the defeat of her Majesty's forces, and the hints of others about bringing the Queen's sacred head to the block, we shall say no more than that all those gentlemen are or were, on general subjects, stanch supporters of that Queen's ministers! and —as Sir Robert Peel pungently told them, in a tone of good-humour, which from any other man would have been that of indignation—they were among the most zealous of the Lichfield-House majority which had turned out that very administration on

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on whose conduct they now found it convenient to bestow their suspicious and unwelcome eulogium.

The debate in the House of Lords on the 19th January showed, in its strongest light, the difference, on which we have more than once insisted, between the Whigs and Tories in and out of office. In that debate we saw Lord Brougham 'emptying,' to use Lord Glenelg's own expression, 'all the vials of his wrath' on the heads of his quondam colleagues, in whose neglect, concerning Canada, that learned Lord was, as he himself would say, a *particeps criminis;* while on the other hand the Duke of Wellington—(to whom nothing could be reproached—who, with his colleagues Sir George Murray and Lord Aberdeen, was arrested in the course of their not merely blameless but most meritorious service to the public by the Lichfield-House conspiracy)—instead of condescending even to criticism, lest it should look like retaliation, overlooked the minister in his respect to the Queen, and forgot party feelings in his duty to his country. The height and grandeur of his Grace's station that night warmed even the sullen mediocrity of Lord Lansdowne, who said that—

'after what had fallen in such candid terms from the noble duke opposite, who had spoken upon this question in a manner which did him infinite honour (hear, hear), and in a spirit which he *had always consistently displayed in similar circumstances*—a spirit of anxiety to yield his cordial support to her Majesty's government whenever an emergency like this arose—he would not trouble their lordships with any further observations.'—*Times*, Jan. 20.

Lord Glenelg made the contrast still more prominent:—

'My lords, I need not point out to you the contrast presented by the conduct of the noble and learned lord (Brougham), and the conduct of the noble and illustrious duke who followed him in this debate. In the speech of the noble and illustrious duke I recognize—in his presence I do not like to express all I think upon the subject—the *magnanimity* and candour, which is consistent with his character, and which has marked the line of conduct which he has taken on *this and on all other great public occasions* (great cheering). In that speech was shown the application of a great mind to the public business of the country. It was a speech proceeding from a mind which scorned to throw its bolts at random to the right and to the left, with an utter recklessness of the mischiefs they inflicted (hear, hear)—which disdained to hint vituperations which it dared not express (hear, hear)—and which was anxious to do justice to the great cause of the country (hear, hear), and even to the merits of a political opponent (hear hear). It was a proof that the genius which had exerted itself with such immortal honour in rescuing the country from the most imminent danger on another theatre, was equally *anxious to exert itself in rescuing the empire from the danger of a civil war* (hear, hear). I will not, in the absence of the noble and learned lord, [Brougham,] who, like his Canadian friends, has fled from

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from the impending conflict, enter further into this contrast—for I am sure that the less I say, the more it will strike all your lordships who now hear me.'—*ibid.*

When, even in the most awful national calamities, did any Whig deserve from a Tory administration such a tribute as is here paid to the patriotism, the magnanimity of the Duke of Wellington? When could it be said that it is to the leaders of the Opposition in both Houses that the ministry owes the power of carrying on the government even for a week, or can entertain any hope of their own extrication from a culpable and personally embarrassing dilemma? His quondam colleagues, in repelling the attacks of Lord Brougham, seemed to forget that he did no more than they had always done, and would at this hour have done again had the Tories been in power and they in opposition, and that they applauded in the Duke of Wellington a nobleness of conduct of which they themselves had, during their long political life, given no example, and which they in truth would have been incapable of appreciating, if it had not happened to come so opportunely to their personal rescue.* Lord Brougham's speech was full of what in any other man's mouth would have been truth and justice, but from a prizefighter of his class—from one who as Lord High Chancellor—the keeper of the king's conscience, and the first guardian of the law—was responsible even above his colleagues for the culpable neglect, evasions, and juggle with which Canadian affairs were conducted from 1831 to 1835—his clever, amusing, and in many points undeniable statements, can have no other effect than to convince the public that it is fortunate that he is no longer a minister, and that it would be equally desirable that his old associates should become, as soon as possible, companions of his official exile.

But it is out of our present scope to consider any events subsequent to the revolt, else we should have much to say on the appointment of Lord Durham, and the absurdities and contradictions of the bill (as presented to the house) under which he is to act. This mission of Lord Durham to assuage faction seems to us a second attempt—Mr. O'Connell's administration of Ireland was the first—of introducing the *homœopathic system* into politics. Spirits of turpentine to extinguish a conflagration! We read lately of a fire at one of the Southwark wharfs, where, from the quantities of oil which were spilled in the streets, the fire-

* This does not personally apply to Lord Glenelg, who never was a Whig, and whose interval of opposition was too short to afford him an opportunity, even if he had the wish, of imitating the very bad company into which he has lattesly fallen: but it is abundantly true of all *Whigs proper*.

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engines were pumping oil on the flames. The cabinet seem to be trying the same experiment; and we must add that the selection of such a man—so headstrong, so wayward, so impracticable, that they could not keep him in their own cabinet—for duties of such distant, such complicated responsibility—is undoubtedly the strongest trial that the ministers could make of Tory patience, and of the dutiful respect of the Tory leaders for the Queen's name and for the constitutional principle of leaving to those who are responsible for measures the unfettered choice of their instruments. Lord Durham said a few words in the House of Lords with propriety and good sense on the spirit in which he accepted and would execute the office. We wish he may maintain that temper. He has advantages that Lord Amherst would not have enjoyed. Lord Amherst would have had, loud and violent against him, not merely '*the Papineau faction*,' but the *Lichfield-House faction*:—before he sailed parliamentary obloquy would have tainted his mission—after his arrival every artifice of misrepresentation would have disfigured his acts, and calumniated his motives—his powers would have been limited within the narrowest circle of constitutional jealousy, and the minister who would have dared to propose for *him* anything like my Lord Durham's *dictatorship* would have been *impeached* by Lord John Russell, seconded by Sir John Cam Hobhouse. There is an old proverb, which, in these times of altering everything that is old, is capable by a slight change of considerable improvement; and in future one should say—'A *Whig* may steal a horse, when a *Tory* would be hanged for looking over the hedge.' Lord Durham, on the contrary, receives nothing but encouragement—he hopes that his own friends will stick by him *per fas et nefas*, or, even if they should fail him, he calculates on the gentleman-like indulgence to his personal defects, and the constitutional support of his public character which he is sure to receive from the Conservative leaders. With the tranquillizing confidence which such a position should give to himself and to the loyal Canadians, if Lord Durham shall contrive to mismanage this great trust, awful indeed will be the responsibility of those who chose him!—a choice which seems to have been made somewhat in the spirit of Henry VIII., who when he was told that '*all Ireland could not rule the Earl of Kildare*,' peremptorily exclaimed, '*Well, then, that Earl shall rule all Ireland.*' We, however, venture to suggest whether this excellent precedent might not have been more exactly followed. We who remember Lord Durham as Mr. Lambton, and who have not forgotten his whole political life prior to 1830, cannot but think that, if *Mr. Papineau* were to be created an *Earl*, decorated with

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with *stars and ribbons,* and invested with the *highest dignities* of the state, it might have a very tranquillising effect on *his* temper and principles; and that *he* would probably make a more effective and much cheaper *Dictator* for the conciliation of Canada than His—*Excellency* is it or *Highness*—John George Earl of Durham, G.C.B., &c. &c. &c.

But this is beyond the bounds of our present duty. Our business was an inquiry into the share which the present ministry, by their long-enduring apathy, and chiefly Lord John Russell, by his incomprehensible abandonment of the Resolutions of March, 1837, have had in provoking the contest which they are now so anxious to subdue. Can there be any reasonable doubt that inflammatory advice from England, accredited amongst an ignorant and credulous people by the supineness of the government at home, has encouraged the 'Papineau faction' in the ascending steps of their audacity, till it burst out into the violence of actual insurrection, and could only be extinguished—if extinguished it has been—by the necessary but terrible chastisement of blood and fire?

We ask again, whose consciences ought that fire and blood to blister? It cannot give the ministry and their associates greater pleasure than it will to us—zealous of the honour of our country and our Queen—if further discussion shall be more successful than their advocates have hitherto been, in fixing all, or even the greater part of the guilt, on Papineau and Mackenzie.

We have exhausted our limits, but not this painful and disgraceful subject—painful to every one—disgraceful to the ministry—and even, we fear, in the eyes of the world—to the country itself—which can submit to be endangered and degraded by a cabinet, whose mediocrity and perversity of intellect would be hardly trust-worthy for the petty duties of one of their own town-councils—whose policy is a vibration between selfish apathy and splenetic rashness, and who seem, as *he*—their old colleague—who *knows them best,* told them the other night—the most perfect and practical illustration of the Swedish statesman's melancholy view of the 'small quantity of wisdom or talents by which mankind will occasionally submit to be governed!'

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THE

QUARTERLY REVIEW.

ART. I.—1. *Isis Revelata. An Inquiry into the Origin, Progress, and Present State of Animal Magnetism.* By J. C. Colquhoun, Esq., Advocate, F.R.S.E. Edinburgh. 8vo. 1837.
2. *Théorie des Somnambulismes.* Von J. U. Wirth. 1836.
3. *Treatise on Insanity.* By James Cowles Pritchard, M.D. F.R.S. London. 8vo. 1835.
4. *Rapports et Discussions de l'Académie Royale de Médecine sur le Magnétisme Animal, &c.* Par M. P. Foissac. Paris. 1833.

WE are required to accept as indubitable facts, that a person can see with the tips of his fingers or the pit of his stomach —that the internal organization of his own frame, or that of others, placed in magnetic connexion with him, becomes visible, so as to enable him to detect hidden disease, and prescribe the efficient remedy—that he knows the unexpressed thoughts of people, and can foretell future events—that he can ascertain what is going on at indefinite distances in defiance of the intervention of opaque bodies—that all these things are best accomplished when the senses are closed and the mind entranced.

The Wilheimer somnambulist read in the dark with 'emphasis and earnest attention' a book of which he had no previous knowledge, by pressing it on his stomach. One of Professor Kieser's sleep-walkers recognised a seven of spades when the figured side of the card was laid on his under lip. If a lens was held near the tip of his nose, he was enabled to see as well with that organ as a waking man does with his eyes. In order to ascertain if veritable vision was performed by the *nose*, it was painted with red lead; the boy said he could now no longer see with his *chin*, as he called it. By pointing his fingers from the middle of a second-floor room, towards the windows, he saw the colours, and counted the number of a herd of swine which happened opportunely to be passing. A thick worsted stocking being put on one foot, it did not prevent his distinguishing letters and pictures with his toes. (*Wirth*, p. 79.) In Wienholt's Miscellany we have the case of a lady who read a letter lodged in the pocket of Count Lützelburg. Another, in the Strasburg *Zeitung*, is that of a damsel who could read a book placed in a distant chamber, provided a

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row of persons holding each other extended from her room to the other, and that the first of these laid his flat hand on her stomach and the last on the selected passage of the open volume.

These phenomena are produced by certain manipulations, which are either simple or compound. If simple, the magnetiser excites them by his touch, breath, or even by mere volition; if compound, he calls in aid metallic tractors, 'baguettes,' rods, &c.

The patient and magnetiser are placed opposite each other in the simple process; and the latter begins generally by pressing both his hands on the shoulders of the former. M. Dupotet, however, in no instance that we have witnessed, does this—but immediately commences by drawing his hand from the head down the whole length of the trunk of the body, without touching the patient; he keeps his fingers pointed longest and most steadily at the forehead and the pit of the stomach, so as to infuse the greatest quantity of the magnetic influence into the two great centres of the nervous system. These tractions or passes are repeated with slight variations of undulating or sprinkling action—until an effect is produced. This effect is gradual, and increases in proportion to the number of 'séances.' It has been divided into six 'grades.'

In the first, or waking stage, the skin is slightly reddened; a feeling of heat, comfort, and lightness occurs; but there is no marked action on the senses.

In the second, or stage of imperfect crisis or half-sleep, the eye is gradually abstracted from the dominion of the will, and the drooping lids cannot be raised; the other senses are more than usually excited; and in addition to these effects a variety of nervous sensations are felt, such as prickling of the skin, spasms of the muscles, &c.

In the third stage, or that of magnetic sleep, all the senses are closed to external impressions, and sometimes fainting, cataleptic, or apoplectic attacks may occur.

In the fourth stage, the patient though asleep to the world without, awakes within himself, and consciousness returns. This is the perfect crisis or somnambulism, during which, we are told, he is placed in the most extraordinary relations with nature, by means of a transference of the senses to the skin.

In the fifth, or stage of lucid vision, the patient can see his own intimate organization, or that of others placed in magnetic connexion with him, and becomes possessed of the instinct of remedies. The magnetic element now unites him by powerful attraction to others, and establishes between them an interpenetration of thought and feeling so intense as to blend their different natures into one.

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In the sixth degree, the lucid vision is not hemmed in or confined by any particular matter, time, or space. The magnetic fluid, which is universally spread in nature, unites the individual with all nature, and gives him cognizance of coming events by its universal lucidity. Dr. Klein says the late King of Wirtemberg's death was predicted by a somnambulist four years before its occurrence, and the event fulfilled in all its particulars. (*Colquhoun*, p. 97.)

The relation of the patient and magnetiser is not without its dangers. Gmelin, when labouring under diarrhœa, was imprudent enough to manipulate; his patient was much inconvenienced the next day. Hensler has filled an 8vo. of 430 pages with cases of pernicious influence unconsciously exercised between fathers and children, brothers and sisters, husbands and wives—domestic tragedies of sickness and death being ordinary terminations.

Enfeebled or nervous constitutions, women between the ages of fifteen and forty-five, &c., &c., are readily excited by magnetism. Old ladies and robust gentlemen are non-conductors. (*Wirth*, p. 160.)

The efficient cause of all these phenomena is an imponderable fluid, supposed by some to be universally diffused, by others to be secreted by the brain. By an act of the will it can be directed and accumulated in any substance. If in the living body, it produces one or other of the six grades of magnetism just enumerated; if in inanimate substances, it may be retained there as in a reservoir for use. It is impossible to understand how this fluid produces prophetic and lucid vision, or how it permits the infusion of our unexpressed thoughts into another mind, so as to make two or more persons as conscious of each other's meditations as each is of his own; and as M. Dupotet himself thinks no theory of magnetism explains its phenomena, we shall not waste any time in investigating this το πας, but at once proceed to its so-called facts, for the truth of which the favourers of the science rest on two sources—testimony and analogy. They bring forward in evidence of these phenomena competent and credible witnesses in some of the most eminent naturalists and physicians of France and Germany; and they further appeal to analogy, by attempting to show that in some acknowledged states of the nervous system, as catalepsy and sleep-walking, all the phenomena of animal magnetism are and always have been to be found.

First, as to the appeal to testimony. When effects so strange as those of animal magnetism are said to be produced, we are entitled to insist on the fulfilment of all those conditions which shall render delusion and collusion impossible; and the first and

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chief of these is their public attestation, after scrutiny by a sufficient number of competent judges. Nine-tenths of the wonders which teem in the German archives were performed among the obscurer sections of that race, and though it is impossible to doubt the good faith of the honest German, it is equally so not to admit the facility with which he loves to succumb to the bold, the singular, or the marvellous. We have not the slightest desire to impugn the veracity of the numerous professors of animal magnetism; but we think that if their *science* is ever to take its place among the other fragments of human knowledge, it must be after it has been tested by a public scrutiny. And for this reason we choose to confine our remarks to the facts elicited by the various commissions of France, laying aside those asserted by single individuals as incomplete.

We shall draw largely as we proceed on the learned and elaborate work of Mr. Colquhoun. He exhibits perhaps too easy a faith, and he is not remarkable for skill in arranging his materials; but the author of the *Isis Revelata* is evidently a sincere and honest man, and we have no difficulty in pardoning his enthusiasm. The English reader need seek no farther for the facts of this curious subject.

In the year 1784 an ordonnance of Louis XVI. authorized an investigation of a series of extraordinary phenomena, which had suddenly burst forth in the very heart of Paris. Persons of the highest rank of both sexes flocked to the house of Mesmer, to feel or to witness the strongest emotions which the human frame could bear. Curiosity—the love of the marvellous—the desire of varying the worn-out stimulants of this sensual capital, in its most depraved era, filled his halls with the youth, the beauty, and the fashion of the day. The patients were placed around hollow vessels, or reservoirs of the universal fluid, and attached to them, and to each other, with wires or rods. Youths remarkable for manly symmetry (Virey, p. 477) were the chosen assistants of the great and beneficent inventor; they were employed in accumulating the subtle, marvellous agent in the frames of those who sought a cure for their ills. For this purpose they were employed in making tractions on the body, and for hours together, in compressing and kneading the *hypogastre* with the open hand—delicious airs were poured forth from the harmonica, and everything was resorted to which could excite the senses and the nerves. The effects produced were such as confounded the commissioners appointed to observe them, and obtained for the Mesmerian scenes of Paris the sobriquet of 'hell in convulsions.' Screams, shrieks, faintings, and contortions were heard and seen on every side—extravagant bursts of sympathy between persons hitherto unknown to each other seemed

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seemed to threaten to level the wholesome distinctions of society. Lest any injury should occur from the violence of efforts, which threw some into epileptic fits, and impelled others to dash their heads against the wall, the 'Hall of Crisis' was cushioned and padded throughout. In the midst of this strange scene, the magnetiser suddenly appeared—a man of grave and handsome aspect, clothed in a vest of lilac, or some colour which could soothe and please the eye—he held a wand in his hand, with which he instantaneously allayed the storm which had been raised by the imponderable and universal fluid. The accomplished and unfortunate Bailly, the commissioned reporter of these facts, says that Mesmer seemed to move like a supernatural being amid the contorted bacchantes, governing life, and compelling cool and refreshing airs to play around those who appeared about to suffocate, while he stilled the convulsive movements of those in 'crisis' by a touch of his rod.

It was on account of the spreading of this mania among the highest ranks of Paris that the Academy of Sciences and the Faculty of Medicine were commanded to investigate the subject. The former named, as commissioners, Franklin, Lavoisier, Bailly, Leroy, and De Borg; the latter, Darcet, Maijault, Sallin, and Guillotin, the memorable inventor of the guillotine. Besides these, the Royal Society of Medicine appointed Poissonier, Desprières, Caille, Mauduit, André, and the botanist Jussieu, to observe the effects of magnetism as a remedy. The result of their investigation was, that the imagination did all and the pretended fluid nothing. Jussieu, however, the most assiduous of the commissioners, published a separate treatise, establishing four orders of facts:—1. Facts explicable on known physiological laws; 2. Facts opposed to animal magnetism; 3. Facts attributable to the influence of imagination; 4. Facts proving the existence of a particular agent. Independent of these reports, all the commissioners united in drawing up a *secret report* for the king alone—(which, however, was subsequently published)—stating the danger of Mesmerism as to morals;—a danger which, according to Mesmer's own avowal, was anything but chimerical, as he confessed that women subject to its influence could no longer control themselves.

Four months after the publication of the first report, M. de Puysegur discovered a most important phenomenon, unknown to Mesmer and the commissioners—magnetic somnambulism.

This gentleman and his brother, soldiers by profession, and possessed of landed property, diversified their military duties with investigations on animal magnetism. The elder carried on his operations at his estate of Busancy, where his success among the peasantry was signal but troublesome; so to avoid the cumbrous machinery

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machinery of Mesmer he magnetised the celebrated elm of Busancy. Ropes were affixed to the tree, and the influences collected within its stem and branches were diffused through these to all the numerous villagers who clung in clusters to the cords. One of these, a common peasant, revealed the true theory of animal magnetism during a crisis, by stating that the *will* of the magnetiser was all-sufficient for producing magnetic effects. Puysegur henceforth gave up metallic tractors, 'baguettes,' and rods, and abolishing the Chamber of Crisis, he avoided the production of all convulsive actions, substituting in their place the pleasant dreams and sensations of a magic sleep with all its train of lucid vision and prophetic ken. One other most important element of improvement is also traceable to M. de Puysegur, who purified (how is not apparent) the Mesmerian universal fluid of some of its exciting constituents, by establishing a limit to the all-powerful magnetic *will*. He announced that the magnetiser could incite everything *but what was prejudicial to morals or self-preservation*. Thus rounded and deprived of its chaotic furies, the science has been handed down to us—dressed up to the genius of modern times, and fitted for modern nerves.

A couple of extracts will exhibit the phenomena of animal magnetism observed by the commissioners of 1784. They only need this comment, that the commissioners tried magnetism in their proper persons without effect; that children, unwarned of the process, were equally proof against it; and that patients, blindfolded, felt its influences as often when they were told they were to be magnetised and were not, as when they really underwent the due manipulations.

'"Some remained calm and tranquil; others coughed, spat, felt some slight pain, a local or universal heat—and had sweats; others were agitated, tormented with convulsions most extraordinary by their force, their number, and their duration; as soon as one began another succeeded; the paroxysms lasted sometimes three hours; the patients spat a thick, viscous, and sometimes bloody fluid; the attacks were characterised by precipitate, violent, and involuntary movements of the members or the whole body, by constrictions of the throat, by spasms at the epigastrium, and hypochondria—piercing cries, tears, hiccough, and immoderate laughter. Nothing could be more astonishing than the sight of these agitations and various seizures; the sympathies which established themselves between all these individuals struck us with amazement. We beheld the patients precipitating themselves one towards the other, smiling and talking to each other with affection, and mutually alleviating their agitations. Everything depended on the will of the magnetiser; were they in an apparently deep sleep, his voice, a look, a sign, drew them out of it. We cannot," say the commissioners of the king, "prevent ourselves from recognising in these constant effects a powerful

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powerful agent, which acts upon patients, subdues them, and of which the person who magnetises them seems to be the depositary."

'The commissioners soon discovered that it was very difficult to ascertain to what point the results produced were the effects of imagination, to the excitement of which so many circumstances were adapted, and how far of any peculiar agency. They resorted to private trials of the same manipulations. Some of the most interesting of these experiments were performed at Passy, at the residence of Dr. Franklin, who could not be present at Paris at the public exhibition. Here M. Deslon tried his art in vain upon the obdurate American, as well as upon the members of his family, who, notwithstanding that some of them were ladies in delicate health, were found quite insensible to the whole ceremonial of magnetism. Neither of the other commissioners could perceive any effect in his own person. One of the experiments made at Passy is worthy of a particular recital. It consisted in the magnetising of a tree in Dr. Franklin's garden. M. Deslon affirmed that if this was done by himself, and a youth introduced, who should be purposely selected as an individual susceptible of the magnetic influence, the result would be manifest on his approaching the particular tree. A boy, aged twelve years, was chosen by M. Deslon, who insisted on the necessity of his presence and co-operation: care, however, was taken to prevent collusion. The boy was made to approach four trees successively without knowing which was the magnetised one, having his eyes covered with a bandage, and to embrace each tree for two minutes, according to the previous arrangement with M. Deslon. That gentleman stood in the garden, and kept his cane pointed at the magnetised tree, in order to maintain its magnetism. Under the first tree not magnetised, at the end of a minute, the boy perspired in great drops, coughed, expectorated, felt a slight pain in his head—he was then twenty-seven feet distant from the magnetised tree; under the second tree he felt stupor and the same pain in his head; under the third tree these symptoms were greatly increased; he believed himself to be approaching the magnetised tree; he was, however, then at the distance of not less than thirty-eight feet from it; under the fourth tree not magnetised, at the distance of twenty-four feet from the magnetised tree, the young man fell into a crisis. He lost all consciousness, and was carried to a neighbouring grass-plot, where M. Deslon soon reanimated him. The operator accounted for this untoward phenomenon by saying that the trees had probably become spontaneously magnetic. "But," rejoined the commissioners, "if trees are in the dangerous habit of assuming this state of their own accord, a susceptible person walking in a garden must incur the continual risk of falling into a crisis." '—*Pritchard*, pp. 417, 418.

The plea on which the Royal Academy of Medicine was persuaded to re-open this question, after the lapse of half a century, was founded on the unfairness of the report of 1784, and secondly, on the increased powers and effects of magnetism since that period. The work by M. Foissac, himself a proficient, is the result. The conclusions of the reporters are contained under thirty different heads,

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heads, and their general tenor is meant to be favourable to animal magnetism. They acknowledge, first, that magnetism has no effect on persons in a state of sound health, nor upon some diseased persons; second, that on others its effects are slight; third, that these effects are sometimes produced by ennui, monotony, or by the imagination; but add, fourthly, that, *most probably*, other effects, which cannot be referred to these causes, are produced by animal magnetism. (*Colquhoun*, ii. p. 205.)

These admissions of the commissioners disprove at least the universal agency of the grand fluid, and show that ennui, monotony, or the imagination, in a word, disordered or excited states of the nervous system, are competent to produce effects similar to those ascribed to the magnetic process. It would appear also, that the magnetiser and the patient may, without charge of wilful collusion, get up a scene of the completest deception. 'As among the effects attributed to somnambulism,' admit the commissioners in their twelfth *conclusion*, 'there are some which may be feigned—somnambulism itself may be feigned, and furnish to quackery the means of deception.'

M. de Geslin placed at the disposal of the committee Madame Couturier, who, in a state of somnambulism, could divine the thoughts of persons. A written sentence was handed by one of the commissioners to M. de Geslin, for that gentleman to conceive mentally, containing the words 'go and sit down upon the stool in front of the piano.' The somnambulist was desired to do what M. de Geslin thought. She went to the clock and said it was twenty minutes past nine; being informed of her error, she rectified it by walking into the next room. After this her other magnetic accomplishments all failed, and she was neither able to see a watch with the back of her head, nor to tell a single fact as to the health of one of the commissioners put 'en rapport' with her.

In another instance, M. Dupotet proposed, as an *experimentum crucis*, to the committee, that he would produce at pleasure, and out of sight of the patient, convulsive actions of muscles by merely directing his fingers to a *part of the body*. After he had induced somnambulism, the finger was duly pointed, but without any result, or there was convulsion of wrong parts; finally, these movements were re-produced when no magnetic process was set in action, also equally effectually when some of the commissioners pointed their fingers at the patient. (*Colquhoun*, pp. 226-233, vol. ii.)

The candour with which these admissions are made propitiate the reader in favour of the impartiality of the commissioners; but there is, nevertheless, a facility of faith exhibited throughout their report

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report which cannot fail to strike all who peruse it. As an example of their fourth class, or that by which they are convinced of the existence of magnetic influence, they offer the following case:—

'Un enfant de 28 mois fut magnetisé chez M. Bourdois par M. Foissac. Presque immediatement après le commencement des passes l'enfant se frotta les yeux, flechit la tête de côté, l'appuya sur un des coussins du canapé ou on l'avait assis, bailla, s'agita, se gratta la tête et les oreilles, parut combattre le sommeil qui semblait vouloir l'envahir, et bientôt se releva—permettez nous l'expression—en grognant: le besoin d'uriner le prit, et après qu'il l'eut satisfait, il fut encore magnetisé quelques instans: mais comme cette fois la somnolence n'etait pas assez prononcée, on cessa l'expérience.'—*Foissac*, p. 136.

A child must be a very good child indeed if he would not yawn, grumble, and rub his eyes, when half-a-dozen elderly gentlemen were staring at him, and one of them was busied in making passes and antics with great gravity before his face. He obviously was tired and annoyed at being held down to the sofa, and so laid his head on the pillow, and when this did not free him from further torment, he of course took refuge in the usual resource of all children of twenty-eight months for escaping, and succeeded.

As a second example, we are told that a deaf and dumb lad was magnetised fifteen times by M. Foissac; the appreciable phenomena produced being vertigo, general numbness, sleepiness, and heaviness of the eyelids. In a third, magnetism caused a flow of saliva and a metallic savour, together with head-ache, in M. Itard, one of the commissioners.

The committee, after damaging their case by attaching importance to puerilities such as these—which are accounted for in the two first instances by constraint of position, monotony or *gêne* on the nervous system, and in the third by the ready faith of a confirmed valetudinarian as was M. Itard—pass on to the more recondite mysteries of somnambulism, such as vision without the use of the eye, which they twice witnessed, and the power of prophesying several months previous, the day, the hour, and the minute of the access of an epileptic fit, exhibited by one individual: while they saw another who pointed out the diseases of three persons put in magnetic relation with her (*Colquhoun*, vol. ii. pp. 290, 291).* Madame Cellini, who had this last gift of internal intuition, was requested to examine the state of health of M. Marc, one of the commissioners. In three minutes

* We quote Mr. Colquhoun's translation of the French report, because he has been at the pains to attach to each of the thirty conclusions a reference to the case warranting it, an omission on the part of the original reporters that makes the examination of their heap of wonders intolerable.

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after touching the forehead and the region of the heart, she said he had a determination of blood to the head—a guess which any one might have hazarded after feeling a palpitating heart and a hot brow. She added that he at that moment had a pain on the left side of the head, and an impediment in the alimentary canal, that he was subject to slight cough, and that the inferior part of the chest was gorged with blood; that to cure all this, he should be copiously bled, put on hemlock poultices, and drink gum lemonade. M. Marc confessed to the headache, allowed he frequently had a cough, and often felt oppressed after eating, but was totally unconscious of alimentary obstruction; he abjured the copious bleeding, the hemlock poultices, and the gum lemonade.

In a second instance, Madame Cellini, after being put into magnetic sleep, was placed *en rapport* with a lady who had been twelve times tapped by Dupuytren, and in whom that surgeon had felt abdominal tumors. The somnambulist examined her for eight minutes, not, says the reporter, after the manner of a surgeon, by percussing and pressing the abdomen, but by repeatedly and gently applying the hand to that part, the back, and the head. After which, she declared the patient had a collection of water near the spleen, that there were pouches filled with worms, and tumors of the size of an egg containing puriform matter. For these she prescribed dandylion and nitre, the milk of a goat which had previously been mercurialized, and elder-flower poultice. The patient did not follow this treatment, which, if she had, says M. Foissac, would have been of no avail. She died twelve months after, and, as there was no dissection, Madame Cellini's intuitions could not be verified.

Here we have a somnambulist applying her hands for eight minutes to parts which permitted tumors to be detected through them;—the disease, a dropsy, in which every tyro knows fluid fluctuation is readily communicated to the hand by slight movement. Not a word is mentioned whether or not Madame Cellini used her eyes as well as her fingers—and, after all, no verification of these predictions. Yet, on the strength of these two examples, and one other as pertinent, the commissioners say they found 'one somnambulist who pointed out the diseases of three persons placed in magnetic relation with her.'

In another of their conclusions, No. 25, the commissioners say they have met with two somnambulists who possessed the faculty of foreseeing organic actions more or less distant, and more or less complicate. One of them predicted many days, nay, months, beforehand, the day, hour, and minute of the return of an epileptic fit. The other foretold the period of his cure. 'Their predictions were verified with remarkable exactness.'

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The first of these self-inspectors was Pierre Cazot, aged twenty. He was an epileptic, born of epileptic parents. His attacks occurred five or six times a week. Being admitted into the Hôpital de la Charité under Dr. Fouquier, that gentleman permitted him to be magnetised by M. Foissac, who produced sleep at the third, and somnambulism at the tenth *séance*. When in this state, on August 9, at nine, A.M., Pierre predicted a fit at four o'clock of the same day. At one he had headache, at three was obliged to go to bed, and at four the fit came on. On the 24th August, he foretold a fit on the 7th September, at ten minutes to six, A.M. The commissioners, on assembling in one of the wards of the hospital, learnt that Cazot had had on the previous evening pain of the head, which had lasted all night, and caused sensations of ringing in the ears. At ten minutes to six the fit came on, and lasted five minutes. On the 10th September, he foretold a fit for the 1st October, two minutes to twelve, which took place at the house of Cazot's master, a manufacturer, 'at one minute to twelve, true time.' In another instance, the fit was predicted two months before it happened. On the 22nd April, Pierre predicted a fit for the 25th June, which he said would be followed by insanity, and subsequently by his perfect cure in August. Two days after this, while he attempted to stop a spirited horse of M. Foissac, which was running away with his cabriolet, he was knocked down, stunned, and trampled on—and he died on the 15th May.

The commissioners, seeing that his power of prophetic vision did not embrace external circumstances, deem it prudent to confine his sense of prevision to a knowledge of acts going on in his own body, and argue that because an ordinary epileptic is occasionally cognizant of sensations warning him of an impending attack, so a somnambulist with increased sensibilities may predict a seizure months before it occurs. This experiment would be conclusive had it been guarded, which it certainly is not, from all suspicion of deception. We find M. Foissac and his patient in constant communication between the time of the prediction and its fulfilment. M. Foissac may have been a man of perfect probity, and Cazot, as his employers asserted, a simple-minded, honest, and industrious artisan; but the commissioners ought not to call on us to take this for granted in an experiment which might have been put beyond a cavil. Here the malady—an epilepsy—is one which is readily simulated by soldiers wishing to obtain a discharge, and therefore by any one, whether naturally afflicted by it or not. The commissioners should have either stated this, or have waited for the prediction of a disease which, like inflammation of the lungs for example, neither could be feigned,

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feigned, nor could baulk the experienced physician. There are circumstances, too, in this case, which prove that it has been loosely reported. Pierre Cazot, it is said, had been subject during ten years to fits occurring five or six times a week, that is, almost daily, and yet these daily fits of ten years' standing suddenly occur at distant intervals. It is marvellous that this great amelioration in an intractable malady is left unnoticed by the commissioners, and claimed neither as a triumph for medicine nor for magnetism. The sequel of the case is curious, and perhaps M. Foissac's own words afford the best test of his good faith, and the value of the magnetic treatment in an acute disease.

He was naturally deeply affected by the misfortune which he had accidentally occasioned, and seems to have devoted his time and attentions to Pierre:—

'From the very first *séance*, he (Cazot) exhibited a great tendency to extend his *prevision* to the events of ordinary life; but convinced by a number of examples of the danger of allowing a somnambule to stray beyond the domain of disease, I had repressed the efforts of this faculty—this reserve, of which the motives were so good, was perhaps the cause of his death. When I approached the wretched Cazot, whose head had been crushed under the feet of my horse, I was so moved that I felt I had no magnetic power in me. MM. Husson and Marjolin, who were called in, advised his removal to the Hôpital Beaujon. The next morning I wished to put him in the state of somnambulism; but M. Marjolin persuaded me to forego the attempt, lest the brain should be too much excited, adding that the treatment for injuries of the head was well understood. His symptoms were much ameliorated by large bleedings, but the delirium which came on the first night soon became constant. As his danger increased, I attempted to magnetise him, and even succeeded in procuring sleep; but the somnambulism was disordered, and readily dissipated, and of no use in the treatment. It is remarkable, however, that neither his delirium, nor the cruel pains which rendered him insensible to the attentions of his family, prevented him incessantly calling for me, and always being calmed by my presence. And such was the influence of *magnetism* on his organs, that a few minutes before he expired, he recognised me once more.'—*Rapport*, p. 435.

And here at least we will not doubt the virtue of those sacred influences which hallow our nature and have ever knit man to his fellow-mortal. We will, if M. Foissac pleases, call them magnetism, or sympathy, or affection, or gratitude, or by whatever name he chooses; but lids as heavy as those of Pierre Cazot have never veiled the dying gaze which turns to him who hastened to soothe the incessant call of pain and anguish.

The second instance is that of Paul Villagrand, a law student, who at the age of twenty-two, on the 25th December, 1825, had an apoplectic attack, succeeded by palsy of the left side. During seventeen

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seventeen months he was variously treated; moxa was applied twelve times to the spine, a seton was made in the nape of the neck, acupunctures had been resorted to—so that in spite of two fresh attacks he was greatly better than at the period of his admission into the Hôpital de la Charité under M. Fouquier. The left arm had acquired the power of motion in some degree, though Paul was still incapable of raising it to his head. He was obliged to use crutches, and could not rest on the left leg; he was nearly blind of the right eye, and very hard of hearing. For five months, while under M. Fouquier, he was bled from time to time, took cathartics, and blisters were occasionally applied. His left arm gained strength, and his headaches ceased; but his general condition was stationary until the 29th August, 1827, when the magnetic treatment was resorted to, under the direction of his physician. At the first sitting his deafness vanished, at the ninth he fell into the magnetic sleep, on the tenth he became slightly somnambulic, and subsequently prescribed for himself. On the 25th September, after the commission had ascertained that the left leg was thinner, and the left arm much weaker than the corresponding members of the right side, Paul was again put into magnetic sleep, in which he prophesied that in three days from that time he should no longer need his crutches, provided, in the interim, mustard poultices were constantly applied to various parts of his body, a couple of baths (of Barèges) taken, eight ounces of blood abstracted, and the magnetic process repeated. All this was done. When awaked from his magnetic sleep, he asked for his crutches as usual, but being told he needed them no longer, he rose, walked through the crowd, descended the steps of the experimental chamber, crossed a second court, mounted two other steps, and arrived at the bottom of the staircase. After having sat down for two minutes, he ascended it, leaning on an arm of an assistant and holding the balustrade; he then sat on his bed, and again walked in the wards, to the great wonder of the other patients, who had always seen him hitherto 'cloué dans son lit' (bed-ridden). After the space of one month, his state was much improved—the magnetism was resumed—the patient had the firmest reliance on its efficacy. During somnambulism, which was produced in four minutes, he declared that he should be cured by the 1st of January. The power of his limbs, which had been tested just previous to the experiment by means of the dynamometer, was prodigiously increased; he could stand and hop on his weak leg, lift up one of the commissioners, run up and down stairs, taking two and three steps at a stride. When awakened, his gait was firm but cautious, and his strength, tested once more, was again diminished; he could not hop or support himself

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himself on his left leg, nor lift up M. Foissac. At the time these feats of strength were performed, Paul had two setons on his person, two blisters, and had within a few days lost two and a half pounds of blood. After this, Paul predicted that a state of constant somnambulism for eight days would suffice for his complete cure. It was induced, and Paul then gave a sketch of his future life, concluding that, unless he committed any imprudences, he should live to a good old age, and die of apoplexy. After waking, he walked and ran as well as a man in health. In about sixteen months after these predictions of long life, Paul died of disease of the lungs, and not of apoplexy. M. Foissac, in accounting for this termination, and making the prediction and the event square, states that Paul 'would never listen to advice, nor cease from committing every excess.'

Whatever may be the impression on reading in the report the history of Paul Villagrand, it is impossible not to feel, after perusing M. Foissac's very candid notes appended to it, that this *clair-voyeur* was a cunning young scamp, half rogue and half believer, while M. Foissac was certainly his dupe. So too thought the celebrated phrenologist Gall, who in his last illness, being ardently desirous of consulting a somnambulist, was placed in magnetic relation with M. Paul. This keen observer, however, after he had learnt from him the nature of his disease, and the remedies requisite for its cure, declined having anything to do with them, stating to M. Foissac as a reason, that he had discovered the bump of cunning (organe de la ruse) to be largely developed in the somnambule. This experiment seems to have cured Gall, not of his malady but of his desire of consulting sleep-walkers, much to M. Foissac's regret. It may be collected from M. Foissac's incidental notices, that Monsieur Paul was boarded and lodged with him, and supplied with the means of travelling about the country. It also appears that when he began to give himself up to excesses, and to repudiate his benefactor's admonitions, he lost his faculty of prophecy and lucid vision. This deprivation M. Foissac regards as a result of debauchery and its consequence ruined health—a slight inconsistency, by the way, since it is a magnetic axiom, that a shattered frame affords the best substratum for the magnetic fluid or folly. It was on this subject that the various experiments of reading with closed lids, and communicating magnetic influence at the distance of 100 French leagues, were made. We do not propose to examine these, for they neither require nor will bear examination, and we trust we have said enough to show that the commissioners and their *rédacteurs* may justly be taxed with credulity, and a most ample gorge for the marvellous. With regard to the cure of palsy, supposed to have been magnetically

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netically effected, it must be remembered that by the confession of M. Foissac himself, Paul was already fast recovering, for the medical means employed by Dr. Fouquier had given him considerable power in the lamed side, so as to enable him not only to lift his hand, but to support and balance himself, and walk with crutches—actions which cannot be effected without much muscular effort. It will be recollected too, that previous to his first exhibition, Paul had prescribed for himself the very remedies which had already done so much to stimulate the torpor of his nerves. If, under these circumstances of corporeal and mental stimulus, a strong effort of will had been made by Paul under the firm and full faith of its efficacy, is it to be wondered at that he should be enabled to walk over level ground, or descend a step or two—rest, and then ascend a stair, with the help of a friendly arm and a stout balustrade, and to do greater feats after one month of further repose and medication? Supposing Paul to have been really oppressed by disease, as we believe, the bleeding which as M. Foissac imagines would enfeeble, as it certainly would, a man in health, seems only to have relieved Paul of that load of fulness which had originally caused his malady and then kept it up—fitting him, therefore, for the very exertions the commissioners thought it would annul. We contend, therefore, that the case of Paul proves nothing for the influence of the pretended fluid—it is only that of a person whose nerves have been highly worked on, not only by ordinary therapeutic means, but by acting powerfully on his mind, in whom efforts of will complete, and that very gradually, what the ordinary medical agents had nearly effected of themselves. Effects not less marvellous were produced at the tomb of the Diacre Paris, at St. Medard, by religious fanaticism. We have seen it stated in various tracts and journals that the late Mr. Edward Irving (prophet and lunatic) inspired the sick with similar energy, and produced similar results.

Some years ago we witnessed at the Infirmary of the St. Mary-le-bone Workhouse a similar miracle, wrought by a taciturn, though hitherto a harmless madman. He had for some time taken the handles from the brooms, and secreted them under his bed. One night he made a sudden onslaught on the patients lying in the same ward as himself, exclaiming as he belaboured them, 'I am the host of Gideon!' It was wonderful with what alacrity the halt, the lame, and the paralytic escaped into the neighbouring passages, leaving none but the absolutely bed-ridden to be succoured by the aid which their lusty cries speedily brought to them.

Medical works abound with facts proving the power of the will. The well-known case of Colonel Townsend, detailed by Dr. Cheyne, and quoted by Colquhoun, is a remarkable instance of the

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the power of will over the frame. By a voluntary effort he produced such complete suspension of animation, that neither pulse nor breathing could be detected for hours; and the body was so cold, and its whole appearance so death-like, that they who assisted at the experiment thought it had for once been carried too far, and left the house; yet, by another effort of will, exercised under these extraordinary circumstances, Colonel Townsend once more re-animated his frame.

Captain Franklin relates that an Esquimaux, having lost his wife, prayed earnestly for the power of suckling the infant, and was enabled so to do.

Grainger has the following anecdote in his learned and amusing work, the Biographical History of England:—

'I was myself witness of the powerful working of imagination in the populace when the waters of Glastonbury were at the height of their reputation (in 1751). The virtues of the spring there were supposed to be supernatural; and to have been discovered by a revelation made in a dream to one Matthew Chancellor. The people did not only expect to be cured of such distempers as were in their nature incurable, but even to recover their lost eyes and their mutilated limbs. The following story, which scarce exceeds what I observed on the spot, was told me by a gentleman of character:—"An old woman, in the workhouse of Yeovil, who had long been a cripple, and made use of crutches, was strongly inclined to drink of the Glastonbury waters, which she was assured would cure her of her lameness. The master of the workhouse procured her several bottles of water, which had such an effect that she soon laid aside one crutch, and not long after the other. This was extolled as a miraculous cure. But the man protested to his friends that he had imposed upon her, and fetched the waters from an ordinary spring." I need not inform the reader that when the force of imagination had spent itself, she relapsed into her former infirmity.'—vol. v. p. 233, ed. 5.

Kant, the metaphysician, has written an essay on the effect of mind in assuaging pains and spasms, as experienced by himself.

We pass over the trials of M. Dupotet, who was supposed to magnetise patients unconscious of his presence, and which the commissioners grant he did—*because* he was concealed in a neighbouring closet or room; but the very crowd of gaping assistants assembled at certain hours to witness these effects could not fail to warn the patients that something was going on, and as they had all been previously magnetised, it was not difficult for them to divine its nature and purpose. When M. Dupotet shall enter one house and magnetise his unconscious neighbours of the next, we shall believe in the agency of the universal fluid.

In the interim, we turn to the second ground for the credibility of animal magnetism, namely, analogical phenomena, produced by

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by known diseases. The cases we subjoin—in themselves quite wonderful enough—are the best attested we could find, and they are offered as data for a few observations:—

1. In Franklin's Memoirs it is related that the doctor went 'to bathe in Morton's salt-water hot bath at Southampton, and floating on his back fell asleep, and slept nearly an hour by his watch without sinking or turning; a thing,' he adds, 'I never did before, and should hardly have thought possible.'

2. In 1686, Lord Culpepper's brother was indicted at the Old Bailey for shooting one of the guards and his horse. He pleaded somnambulism, and was acquitted on producing ample evidence of the extraordinary things he did in his sleep.

3. The following curious case occurred not long ago at the Town Hall, Southwark:—

'Yesterday Mary Spencer was placed at the bar, before Alderman Thorp, charged with possessing herself of a pair of trousers and a handkerchief under the following most extraordinary circumstances:—

'John Green deposed, he was by trade a plasterer, and on Saturday evening, after finishing his work, he went to see some friends at Pimlico, and returned from thence at ten o'clock, and in passing through the Borough he was accosted by a female; he had at the time a bundle on his arm. He knew no more of what transpired until between one and two o'clock on Sunday morning.

'Alderman Thorp: What, were you so drunk that you cannot tell what happened?

'Complainant, with great simplicity: I was not drunk, your worship; I was fast asleep (laughter).

'Alderman Thorp: You cannot be serious. I never heard of such a thing as a man walking in his sleep through a crowded thoroughfare like the Borough High Street without being disturbed.

'Complainant: What I have stated, your worship, is true. I am unfortunately too frequently affected with fits of somnambulism, and for greater security from robbery I always make what articles I carry fast to my arm, so that if any one attempt to snatch it from me it would awaken me.

'Alderman Thorp: But how do you know the prisoner is the party who accosted you in the Borough? If you were asleep you could not see her.

'Complainant: Strange as it may appear, although I have not the power to arouse myself when in such a state of excessive lethargy, yet I can retain the sound of persons' voices in my mind, and from the voice of the prisoner I have not the least doubt she is the party.

'Alderman Thorp: How do you account for the lapse of hours from being accosted by the prisoner up to the time you discovered your loss?

'Complainant: I am in the habit of walking for hours in my sleep. If an attempt had been made forcibly to take the bundle from my arm, it would have aroused me. My handkerchief was cut, and thus the bundle was easily taken away.

'Alderman Thorp: I never heard such a case. Was the bundle found?

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'Acting-Inspector M'Craw, division M, answered in the affirmative, and added, that what the complainant had stated about walking the streets and roads was true; he had made inquiries, and found it to be the fact. It was well known to the police.

'Watts, police constable, 163 M, deposed that the complainant came to the station-house between one and two o'clock on Sunday morning and made precisely the same statement as he now made. The inspector thought the tale savoured of the marvellous, and told the complainant to accompany him in search of the property, and on arriving at a house in Kent Street, Borough, he said he thought the bundle was there. He knocked at the door, which was opened, and by the door of a room wherein the prisoner was sleeping the property was found. The moment she spoke he said the prisoner was the person who stopped him. The prosecutor here pointed out the way in which the bundle must have been taken away, and showed the alderman the rent handkerchief.

'A gentleman who was in attendance said he had known the complainant many years, and it was not an uncommon thing for him to be seized with that unhappy affliction while at work on the scaffold, and yet he had never met with any accident, and while in that state would answer questions put to him as though he was awake.'—*Colquhoun*, pp. 316.

4. Some interesting particulars concerning a natural somnambulist having been communicated to the Philosophical Society of Lausanne, three of its members, Dr. Levade and Messrs. Regnier and Van Berchem, were appointed a committee to make their observations and report upon the case:—

'Having snatched one of his books, *when his eyes were perfectly shut*, he said, without opening it, "'Tis a sorry dictionary," as indeed it was.

'He is sometimes apprised of the presence of objects without being assisted by the sense of sight or touch.

'Having prevailed on him to write a version, we saw him light a candle, take pen, ink, and paper from his drawer, and then jot down what his master dictated. Though we put a thick piece of paper before his eyes, he continued to form each character with the same distinctness as before; only he seemed to feel uneasy, probably from the paper being placed too near his nose, and so preventing a free respiration.

'At five o'clock on the morning of the 21st December our young sleep-walker rose from his bed, took his writing materials and version book, and put his pen to the top of the page, but observing some lines already traced, he brought it down to the blank part of the leaf. The lesson began with these words, "*Fiunt ignavi pigritia.* Ils deviennent ignorans par la paresse." What is very surprising, after writing several lines, he perceived that he had omitted an *s* in the word *ignorans*, and inserted two *r*'*s* in *paresse;* nor did he proceed till he corrected both these mistakes.'—*Colquhoun*, pp. 325-327.

5. The next case is that of an Italian nobleman, dark, thin, melancholic, and cold-blooded, addicted to the study of the abstract sciences. His attacks occurred at the waning of the moon, and were stronger in autumn and winter than in the summer. An eye-

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eye-witness, M. Vigneul Marville, gives the following description of them :—

'One evening, towards the end of October, we played at various games after dinner; Signor Augustin took a part in them, along with the rest of the company, and afterwards retired to repose. At eleven o'clock his servant told us that his master would walk that night, and that we might come and watch him. I examined him after some time with a candle in my hand. He was lying upon his back, and sleeping with open, staring, unmoved eyes. We were told that this was a sure sign that he would walk in his sleep. I felt his hands, and found them extremely cold; and his pulse beat so slowly that his blood appeared not to circulate. We played at tric-trac until the spectacle began. It was about midnight when Signor Augustin drew aside the bed-curtains with violence, arose, and put on his clothes. I went up to him, and held the light under his eyes. He took no notice of it, although his eyes were open and strong. Before he put on his hat he fastened on his sword-belt, which hung on the bed-post; the sword had been removed. Signor Augustin then went in and out of several rooms, approached the fire, warmed himself in an arm-chair, and went thence into a closet, where was his wardrobe. He sought something in it, put all the things into disorder, and having set them right again locked the door and put the key into his pocket. He went to the door of the chamber, opened it, and stepped out on the staircase. When he came below, one of us made a noise by accident; he appeared frightened, and hastened his steps. His servant desired us to move softly, and not to speak, or he would become out of his mind; and sometimes he ran as if he were pursued, if the least noise was made by those standing round him. He then went into a large court and to the stable, stroked his horse, bridled it, and looked for the saddle to put on it. As he did not find it in the accustomed place, he appeared confused. He then mounted his horse, and galloped to the house-door. He found this shut; dismounted, and knocked with a stone which he picked up several times at the door. After many unsuccessful efforts he remounted, and led his horse to the watering-place, which was at the other end of the court, let him drink, tied him to a post, and went quietly to the house. Upon hearing a noise which the servants made in the kitchen, he listened attentively, went to the door, and held his ear to the key-hole. After some time he went to the other side, and into a parlour in which was a billiard-table. He walked round it several times, and acted the motions of a player. He then went to a harpsichord on which he was accustomed to practise, and played a few irregular airs. After having moved about for two hours, he went to his room, and threw himself upon his bed clothed as he was, and the next morning we found him in the same state; for as often as his attack came on, he slept afterwards from eight to ten hours. The servants declared that they could only put an end to his paroxysms either by tickling him under the soles of his feet, or by blowing a trumpet in his ears.'

6. The history of Negretti was published separately by two physicians, Righellini and Pigatti, who were both eye-witnesses

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of the curious facts which they relate. The former corresponded with Muratori, and gave replies to his questions as to particular circumstances.

'Negretti (about twenty-four years old) was a sleep-walker from his eleventh year, but his attacks only occurred in the month of March, lasting at farthest till the month of April. He was a servant of Marquis Luigi Sale. On the evening of the 16th March, 1740, after going to sleep on a bench in the kitchen, he began first to talk, then walked about, went to the dining-room, spread a table for dinner, and placed himself behind a chair with a plate in his hand, as if waiting on his master. After waiting until he thought his master had dined, he uncovered the table, and put away all the materials in a basket which he locked in a cupboard. He afterwards warmed a bed, locked up the house, and prepared for his nightly rest. Being then awakened and asked if he remembered what he had being doing, he answered no. This, however, was not always; he often recollected what he had been doing. Pigatti says that he would awake when water was thrown into his face, or when his eyes were forcibly opened. According to Mattei he then remained some time faint and stupid. Righellini assured Muratori that his eyes were firmly closed during the paroxysm, and that when a candle was put near to them he took no notice of it. Sometimes he struck himself against the wall, and even hurt himself severely. If anybody pushed him he got out of the way and moved his arms rapidly about on every side; and when he was in a place of which he had no distinct knowledge, he felt with his hands all the objects about him, and displayed much inaccuracy in his proceedings; but in places to which he had been accustomed he was under no confusion, but went through his business very cleverly. Pigatti shut a door through which he had just passed; he struck himself against it on returning. The writer last mentioned was confident that Negretti could not see. He sometimes carried about with him a candle, as if to give him light in his employment; but on a bottle being substituted took it and carried it, fancying that it was a candle. He once said, during his sleep, that he must go and hold a light to his master in his coach. Righellini followed him closely, and remarked that he stood still at the corners of the streets with his torch, not lighted, in his hand, and waited awhile in order that the coach, which he supposed to be following, might pass through the place where light was required. On the 18th March he went through nearly the same process as before, in laying a table, &c., and then went to the kitchen and sat down to supper. Signor Righellini observed him in company with many other cavalieri very curious to see him eat. At once he said, as recollecting himself, "How can I so forget? To-day is Friday and I must not dine." He then locked up everything and went to bed. On another occasion he ate several cakes of bread and some salad which he had just before demanded of the cook. He then went with a lighted candle into the cellar and drew wine, which he drank. All these acts he performed as usual, and carried a tray upon which were wine-glasses and knives, turning it obliquely on passing through a narrow door-way, thus avoiding any accident.'—*Pritchard*, pp. 435-438.

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7. The next is the story of a young ecclesiastic who was in the habit of getting up during the night in a state of somnambulism, taking pen, ink, and paper, and composing and writing sermons. When he had finished one page he would read aloud what he had written and correct it. Upon one occasion he had made use of the expression '*ce divin enfant.*' In reading over the passage he changed the word *divin* into *adorable;* and then observing that the pronoun *ce* could not stand before *adorable,* he added to it the letter *t.*

'In order to ascertain whether the somnambulist made any use of his eyes, the archbishop held a piece of pasteboard under his chin to prevent him from seeing the paper upon which he was writing; but he continued to write on without being apparently incommoded in the slightest degree. Still farther to ascertain how the somnambulist recognised the objects that were placed before him, the paper on which he was writing was taken away and other paper laid before him; but the young ecclesiastic immediately perceived the change, because the paper was of a different size. If, however, the paper substituted was perfectly similar to his own, he took it for the same, and wrote his corrections upon the pages that corresponded with his own.'—*Colquhoun,* p. 324; *Carus,* pp. 315, 316.

8. The following case is given by Dr. Dyce, of Aberdeen, in the 'Edinburgh Philosophical Transactions:'—

'The patient was a servant girl, and the affection began with fits of somnolency, which came upon her suddenly during the day, and from which she could at first be roused by shaking or by being taken out into the open air. She soon began to talk a great deal during the attacks regarding things which seemed to be passing before her as a dream, and she was not at this time sensible of anything that was said to her. In her subsequent paroxysms she began to understand what was said to her, and to answer with a considerable degree of consistency. She also became capable of following her usual employments during the paroxysm; at one time she laid out the table correctly for breakfast, and repeatedly dressed herself and the children of the family, *her eyes remaining shut the whole time.* The remarkable circumstance was now discovered that during the paroxysm she had a distinct recollection of what took place in former paroxysms, though she had no remembrance of it during the intervals. At one time she was taken to church while under the attack and there behaved with propriety, evidently attending to the preacher, and she was at one time so much affected as to shed tears. In the interval she had no recollection of having been at church; but in the next paroxysm she gave a most distinct account of the sermon, and mentioned particularly the part of it by which she had been so much affected. During the attack her eyelids were generally half shut; her eyes sometimes resembled those of a person affected with amaurosis, that is, with a dilated and insensible state of the pupil; but sometimes they were quite natural. At one time during the attack she read distinctly a portion of a book which was presented to her, and she often sang

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sang both sacred and common pieces incomparably better, Dr. Dyce affirms, than she could do in the waking state.'—*Colquhoun*, pp. 347, 348.

9. *Catalepsy.*—Mr. Ellis reports the case of Mrs. Finn, who was treated in the Jervis Street Hospital. It was a case of catalepsy, and presented many of the phenomena which we have seen occurring in other instances, such as insensibility to external *stimuli*, the transference of sensation, &c. 'An Æolian was played close to her ear, but she seemed to be unconscious of what was doing; her head was then placed over a bucket and some cold water was dashed upon her. She screamed violently, but did not become conscious. *She was spoken to on the epigastrium, the palms of the hands, and the soles of the feet.* When she recovered from the fit, on being questioned as to whether she had heard the music or any person speaking, or if she felt the water, she answered by *signs* in the negative.' For a considerable period she was deprived of the faculty of speech, but recovered it after vomiting. At a subsequent period, when her complaint appears to have become much modified, 'she stated that having been thinking over various matters which had occurred to her during the last two months, she recollected having heard a voice one day on the pit of the stomach while she was in a fit, and consequently otherwise insensible. On the occurrence of the first cataleptic attack after this communication, she was spoken to on the epigastrium as previously; and on the subsidence of the fit she could repeat with accuracy every word addressed to her through this region. This experiment was often repeated, and always attended with similar results. She could hear the lowest whisper, or even the ticking of a watch. However, she was incapable of distinguishing between the voices of different persons who spoke to her. She stated that the voice appeared to her as if it issued from a barrel, and that she could form no idea whatever of the state she was in.' (*Colquhoun*, 363, 364.)

From these examples we may establish a comparison with the effects of animal magnetism. We grant, in the first place, that the process of magnetising does, in a limited sense, influence the body. It would be impossible to deny what the first commissioners saw, or much of what the last detail. We believe these effects to be dependent on a disordered state of the nervous system, artificially produced; that they are limited by the known laws of that system; and that the whole machinery of animal magnetism, which pretends to give these laws miraculous extension, merely produces nervous excitation, not by the infusion of an universal miracle-working fluid, but simply by unbalancing the actions of our frame; that the extraordinary effects of magnetism, as self-intuition, prophetic vision, transference of the senses, instinct

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stinct of remedies, and action at distance, &c., are pure and unsophisticated delusions or collusions; that the maladies produced by magnetism are precisely such as can be and daily are produced by other means, by certain medicaments and certain emotions; that these maladies are most commonly only various forms of hysteria; that of a hundred who pretend to be somnambulists, ninety-nine are impostors—nor can the magnetiser readily distinguish between the true and the false prophet, or know which of the innumerable nervous symptoms will be produced by his manipulations, as M. de Geslin's case, and the narration of Bailly prove; that the discoveries of Mesmer and Puysegur amount to this, that theirs is a simpler and a more accessible, and therefore a more dangerous, mode of acting on the sensitive frame; that religious fanaticism, whether it take the form of Irvingism, or the ecstatic visions of St. Therese, or the intense contemplation of Simon Stalactytes or Indian Yoghee, produces, as even the magnetists allow, precisely the same effects—by rendering the mind intensely alive to its own ideas, and the body therefore dead to the feebler impulses of external nature—or by exciting the will, and through it the frame, to efforts which readily account for the miracles worked at the tomb of the Diacre Paris, or the convulsions and trances of the fanatics of Cevennes, as detailed by Bertrand.

In not one of the recorded cases of natural somnambulism can it be proved that the magnetic faculties of lucid vision, or self-intuition, or prophetic knowledge, exist, as the masterly analysis of the strange phenomena of sleep-walking by Dr. Pritchard clearly shows.

Sleep and somnambulism differ in this, that in the former almost all the faculties of mind and body repose, while in the latter some of the external senses are asleep, the others are awake, and all the mental faculties are actively occupied by a dream. In sleep the will, the judgment, the intellect, all but the fancy, are quiescent. In somnambulism these faculties are eminently wakeful, and are put in motion with great energy by the visions haunting the sleep-walker. It is on this account that Pritchard has classed somnambulism under the head of ecstasis or trance. There is one circumstance which is all but constant in somnambulism; it is the total forgetfulness during waking of all which occurred in the paroxysm. There is a tacit or open assumption on the part of the favourers of animal magnetism, that the various actions performed by somnambulists are effected by a transference of vision from the closed eye to some other parts of the frame. To this we at once say, that the thing is physically impossible, and the analogy on which this crude notion is founded utterly false. Since pain (say they) may shift from

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from one portion of the nervous system to another, why may not vision? The answer is, that in the transference of pain the nerves which are affected are alike, in the transference of vision they are not. Each of the five senses is especially organised for specific ends, and though the same cause may act on all, it will but elicit the mode of sensibility peculiar to each. Thus electricity passed through the eye produces a flash of light, through the ear a sense of sound, through the tongue a metallic savour; while the skin being affected we experience a blow. Hence it is not the electricity which the mind perceives, but the change in the organ of sense. In short, each organ of sense is an *apparatus* expressly fitted up for conveying its changes to the mind. How is it possible, then, to conceive that this machinery, without which sensation is impossible, should suddenly be organised at the pit of the stomach? To produce vision, we know that the eye must be and is fitted up with lenses, which collect the rays of light into an image thrown exactly on the nerve. If these lenses could be removed, though the very same quantity of light should fall from the same object on the same nerve, we should see light, but certainly no image or object—a proof that vision is effected only through a complicated apparatus. To assert, then, that the skin covering the stomach may see as the eye sees, is as absurd as to suppose that the watch-case can measure time as well as the watch.

Again, the cases of natural somnambulism do not bear out the assumption that the eye is always insensible. In Dr. Bilden's case, when a degree of light, so slight as not to affect the experimenter, was directed to the lids of the somnambulist, it caused a shock equal to that of electricity, and the exclamation, why do you wish to shoot me in the eyes? (*Colq.*, p. 373, vol. i.)

Castelli, a sleep-walker, was found by Dr. Soane translating Italian into French, and looking out words in the dictionary. His candle being purposely extinguished, he immediately began groping about, as any other person would who was left in the dark, and did not resume his occupation until he had re-lighted the candle at the fire. In Dyce's case, though the eyelids appeared closed, they were not. In another, the eyes of the somnambulist were fixed, yet he read by turning his whole head from side to side. We could readily quote other examples which justify the inference that the actions detailed were performed by the aid of a modified vision, and when not so, either by habit or by touch, or both. Negretti, for example, when not habituated to a place, felt his way like a blind man, and often struck himself against obstacles purposely placed in his path; while the young ecclesiastic seemed to have been guided by touch and the mechanical habit of writing, when he continued his sermon, after he had

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had somewhat resented the interposition of pasteboard between the paper and his eye, for he readily discovered the cheat when a different sized paper was substituted for the sheet on which he was occupied, while one of similar dimensions was not detected by him. The sense of hearing, too, is often used by somnambulists—Green knew voices, and Signor Augustin 'applied his ear to the key-hole, and listened attentively to noises which he heard in the kitchen.' The main argument in support of the assumption that somnambulists are not guided by their senses in the performance of acts eminently requiring their use, is derived from the insensibility of those senses to some violent stimuli. Thus, in one case, a light held near enough to the open eye to scorch the brow, produced no effect; and in others the loudest noises did not excite the ear. These, however, only prove that the sleep-walker is so intensely occupied with his visions as not to notice impressions inaccordant with them, and the fact is, that he does readily hear the slightest sounds having a reference to his dreams, while a trumpet tone, foreign to them, could scarcely wake him, as in Signor Augustin's case. Something similar to this is observed in common reverie, and a person less pre-occupied than Dominie Sampson will walk through a crowded street without being conscious of one half of the objects which are indubitably painted on his retina, and which certainly modify his actions.

It is difficult to believe that we could be unconscious of the act and effort of willing; yet the fact is quite certain—for a couple of persons deeply immersed in argument may have walked over half of London, and not have been aware that every step they took was made by a separate act of volition. Here this faculty, so eminently active, was engaged not only in willing this or that form of argument, but also in willing muscular exertion, and yet the mind is conscious of that act of the will only which is accordant with its train of thought, and is insensible to any other. In the same way the sleep-walker sees and hears what it is necessary he should see and hear in the sphere of his dreams, and remains insensible to the rest. There are, doubtless, great difficulties attending any attempt to give an accurate analysis of the obscure phenomena of natural somnambulism. We do not pretend to do so. There are not, we believe, ten cases of this nervous disease which contain a simple narrative of the facts, unvarnished with any gloss of wonderment; they are all more or less tricked up to excite astonishment rather than to enlighten the mind; and yet, in spite of all this, we see enough to associate the deviations they present with the natural laws of the nervous system, and nothing to bring them within the pale of useless miracle.

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The senses of the somnambulist are not all awake at once, nor do they act in conjunction like those of waking persons; but it is these senses, and not other parts, which receive impressions, however their action may be modified, and habit and familiar scenes represented in dreams explain much of somnambulic aptitude and dexterity.

As for correcting the minute characters of a manuscript, as did the sleep-walking ecclesiastic, or hearing when the stomach is spoken to, as Mr. Ellis has it, these certainly are puzzling acts, if the eye and ear were insensible; but many an error is rectified by the mind alone, as when a letter is written, and several hours after, by some secret association of ideas, we have the conviction that a mistake has crept into it. Here it is not the eye, but some play of our faculties, which is our guide. May not something similar be assumed as to the ecclesiastic, supposing we grant that he did not see? As the correction was made by him immediately after having committed the blunder, the hand must therefore have been sufficiently near the misspelt word to erase it. Then, as to the cataleptic hearing when the voice was uttered near the stomach, it is well known that the deaf may be made to hear, if any solid substance convey the vibration towards their mouth. Or another conjecture may be hazarded accordant with known phenomena, namely, that in some affections of the brain sounds are heard only in certain directions and not in others, just as in other diseases of that organ objects of vision are distinguished in one direction only, and not when slightly deviating from that line.

We must conclude, therefore, that there is nothing in the wonders of natural somnambulism to support the miracles of the magnetic. This when produced, is but a repetition of the former, having its limits, and exhibiting its signs. Dugald Stewart who, with Laplace and Cuvier, believed as we do, that the magnetist works on the nervous system of his patient, asks—why not make use of his facts, and lay aside his theory?—Why not excite the frame for the purposes of health, as this accomplished philosopher suggests, by an appeal to the imagination, and the principle of imitation, which, according to him, are the real magnetic instruments? We answer, that as a therapeutic agent, the magnetic manipulations are either dangerous or uncertain, or inferior to remedies in common use in medicine. Dr. Roots will forgive our mentioning the case of one of his patients, an epileptic girl at St. Thomas's Hospital, whom he allowed the late Mr. Chenevix* to magnetise.

* Mr. Chenevix, a man of vigorous talents and very considerable learning, became a sad dreamer in his later days: he was a devout disciple of the Phrenological quacks, as well as of the Mesmerians. Not the only English head-piece in these times that had been hopelessly bewildered by the smoke of German studies.

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At the first sitting no very marked effect was produced; at the second, however, the epileptic attack came on during the manipulations, and lasted instead of a few minutes thirty-six hours, and was accompanied with such unwonted violence as to make this excellent physician dread the result. The patient, however, was saved, though her fits were not relieved. The danger thus incurred, and which could neither be foreseen nor remedied by the magnetiser, determined Dr. Roots never to permit any further experiments to be made on those under his charge—a resolution to which he has adhered. Magnetisers themselves are aware of the dangers of their art, and do not hesitate either to write or talk of a patient who has been *usé*—that is, exhausted by constant nervous excitement. In the whole class of acute diseases, we can hardly suppose that any one in his senses would wait himself, or permit those he controlled to wait, during ten *séances*, for prophetic visions of his interior—(which visions, by the bye, abound in the crudest or falsest anatomical views, as may be seen in Colquhoun's and Foissac's works)—when a few minutes allotted to an experienced physician would suffice to discover the malady.

As for chronic disease, the magnetist entrenches himself among those which are nervous. These are the strongholds of his art and power. Let us for a moment grant that he can soothe anguish, allay melancholy, and give tone to the frame. Are the terms and conditions of ease of no consequence? Is it wholesome and wise to procure these results by faith in the articles of the magnetic creed? 'You shall owe your renovated health to means which I shall use, by which your will shall be subject to mine in every thing. There will be a transfusion of our natures, a mutual sympathy, most platonic, and most intense; your whole being and most secret thoughts will be bent to mine. I will enable you to throw off the bondage of time and space, and make you acquainted with the past, the present, and the future. You shall have self-intuitions and infallibly remedy the diseases not only of your own frame, but that of others. Neither the density nor opacity of matter, nor the still greater darkness and impenetrability of mind, shall prevent your knowing and revealing the actions and the very thoughts of men!'—These are the therapeutics of the magnetists, which, according to their own confession and experience, operate most forcibly and certainly on women, and of these on the most sensitive and impressible in their youngest years. If it were possible to suppose that this mass of monstrous absurdity could root itself in society, it would create on the one hand a despotism so entire, and on the other a mental degradation so absolute, as has never yet been witnessed.

As for somnambulic remedies, the farrago which results from the

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the mighty machinery of lucid vision and self-intuitions, amounts, as the magnetist confesses, to nothing more than the prescribing such medicines as are commonly known in the class or country to which the magnetic prophet belongs. The French peasant is lavish of snail-soup, and ptisanes, made of herbs, which have virtue in the eyes of his associates and gossips. The German takes to the popular pharmacopœia of father-land. And we may venture to predict that Lucy Clarke, or any other English hierophant, will invest calomel, salts, rosemary, and peppermint with all the virtues necessary to gull visitors.

There is one effect produced by magnetism which is supposed to favour operative surgery: all intense activity of the brain is accompanied by more or less of corporeal insensibility; and somnambules have had pins stuck suddenly into the quick of their nails without wincing.

> 'Bedlam beggars who, with roaring voices,
> Stick in their numb'd and mortify'd bare arms
> Pins, wooden pricks, nails, sprigs of rosemary;
> And with this horrible object. . . .
> Sometime with lunatic bans, sometime with prayer,
> Inforce their charity.'—*King Lear.*

M. Cloquet, a few years ago, removed, while she was in a state of somnambulism, a cancerous breast from a Madame Plantin, called most irreverently by the great military surgeon, Baron Larrey, the godmother of jugglers. The fact appears to have been authenticated to the satisfaction of the College of Surgeons at Paris, of which Cloquet is a distinguished member. The lady was kept entranced for two days, and when awakened knew nothing of what had occurred; but on discovering it was so agitated that it was deemed prudent to throw her back into a magnetic state for two more days. Granting that there is great corporeal insensibility in all cases—which certainly is not the fact,—allowing that we could produce genuine somnambulism,—the question still remains, is it advisable to perform the capital operations of surgery in such an unnatural and, so to say, dislocated state of the nervous system? Would any hospital surgeon choose the moment of the stupor of a hysteric or epileptic fit for amputation, merely because the operation would then be painless? Would he venture to add to the tumult of the malady the shock of the operation? Pain is, it is true, a great evil, but it is one which influences the result of an operation least of all the causes which threaten to destroy. If it were of vital importance to destroy sensibility previous to resorting to the knife, we have at least sixteen different drugs which could stupify and benumb or unsettle the brain, but their effects on the nervous system would be

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be far more dangerous to the patient than the suffering incident to the operation.

We would again ask, *Cui bono?* There are means of cure as sure as those of the magnetist, which do not invest the doctor with powers that prostrate the faculties of his patients. The physician demands the confidence of those by whom he is sought, but he asks it for days and nights devoted to a conscientious pursuit of his profession, for multiplied experience, for probity, for all those qualities which challenge and call forth the esteem of mankind—and not for acts which mystify and admit of no investigation, establishing power on the most dangerous of all foundations, that of a debasing superstition, a miserable amalgam of faith and fear.

ART. II.—*Travels in Arabia, the Peninsula of Sinaï, and along the Shores of the Red Sea.* By Lieut. J. R. Wellsted, F.R.S., Indian Navy. 2 vols. 8vo. London. 1838.

WE have derived both amusement and information from these volumes, and consider them as highly honourable to a young officer of the East India Company's Marine, who appears to have neglected no opportunity, in the midst of his professional duties, of extending our knowledge regarding sundry portions of the Eastern world hitherto but very imperfectly explored, and one, more especially, which had never before been traversed by any European traveller. This part, the province of Omán, on the north-eastern side of Arabia, occupies the whole of the first volume. In our review of the work, however, we think it will be expedient to reverse the arrangement of the author, by commencing with the second volume,—*that* being first in the order of time.

The late elaborate survey of the Red Sea and its offshoots, the Gulfs of Suez and Akaba, was conducted by Captain Elwon of the Benares, and Captain Moresby of the Palinurus—chiefly by the latter—both of them officers of the East India Company's Marine. The large *drawn* chart of this extensive and minute survey of the above-mentioned sea and gulfs, with their many islands and innumerable coral reefs, and intricate passages among them, affords a specimen of patient skill which has, probably, been seldom surpassed. We cannot, however, bestow an equal degree of praise on the execution of the engraving; nor can we help complaining of the omission of a scale, and even of a single division either of the degrees of latitude and longitude. In fact, the charts are of such large dimensions, and the intricacies of the coral beds, reefs, and passages so minutely laid down, that a scale is absolutely necessary for their accurate measurement. Sir Home Popham and Captain Court, with Lord Valentia, had given

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given partial surveys of some of the ports and islands, but the position of the extensive reefs and shoals in this great Erythræan sea, on which such a multitude of craft of various descriptions have at all times been wrecked, required more minute examination, especially for the safety and convenience of steam navigation, likely to become so much more general than it has hitherto been; and the result is eminently creditable to the Marine Service of the Honourable Company.

On the return of the Palinurus to Bombay to refit, in 1830, Lieutenant Wellsted was appointed to assist in the completion of the remaining portion of the survey. His opening observation, on the first approach to the Holy Land, bespeaks a mind well cultivated, and conveys a favourable opinion of his qualifications for research into the interesting objects, by which he finds himself surrounded:—

'After a tedious passage from India, we entered the Straits of Jubal, and few countries present themselves to the imagination of the traveller under circumstances so well calculated to awaken a deep and lasting interest, as those around us. From the earliest dawn of history, the northern shores of the Red Sea have figured as the scene of events which both religious and civil records have united to render memorable. Here Moses and the Patriarchs tended their flocks, and put in motion those springs of civilization which, from that period, have never ceased to urge forward the whole human race in the career of improvement. On one hand, the valley of the Wanderings, commencing near the site of Memphis, and opening upon the Red Sea, conducts the fancy along the track pursued by the Hebrews during their flight out of Egypt; on the other hand, are, Mount Sinaï, bearing still upon its face the impress of miraculous events; and, beyond it, that strange, stormy, and gloomy-looking sea, once frequented by Phœnician merchants' ships, by the fleets of Solomon and Pharaoh, and those barks of later times, which bore the incenses, the gems, the gold, and spices of the East, to be consumed, or lavishly squandered upon favourites, at the courts of Macedonia or Rome. But the countries lying along this offshoot of the Indian Ocean have another kind of interest peculiar perhaps to themselves: on the Arabian side we find society much what it was four thousand years ago, for amidst the children of Ishmael it has undergone but trifling modifications. Their tents are neither better nor worse than they were when they purchased Joseph of his brethren on their way to Egypt; the Sheïkhs possess no other power or influence than they enjoyed then; the relations of the sexes have suffered little or no changes; they eat, drink, clothe themselves, educate their children, make war and peace, just as they did in the day of the Exodus. But on the opposite shores all has been change, fluctuation, and decay. While the Bedowins have wandered with their camels and their flocks, unaspiring, unimproving, they have looked across the gulf and beheld the Egyptian overthrown by the Persian; the Persian by the Greek; the Greek by the Roman; and the Roman in his turn by a daring band from their own burning

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burning deserts. They have seen empires grow up like Jonah's gourd. War has swept away some, the vanities and luxuries of peace have undermined and brought others to the ground; and every spot along these shores is celebrated.'—vol. ii. pp. 4, 5, 6.

On the ship's arrival at the port of Tór, into which she put for shelter, Mr. Wellsted took the opportunity of proceeding thence to Suez by the Jebel Mokateb, or Written Mountains, containing ancient and unknown characters, intermixed with Greek, Cufic, and modern Arabic. He visited the Jebel Narkous (*Nakous*?), or 'Mountain of the Bell,' of which the Bedowins relate many stories; they compare the noise given out to the ringing of bells, and a fable is repeated among them that the bells belong to a convent buried under the sands. Mr. Wellsted says that a sheet of impalpable sand is drifted by the wind up the side of a sloping hill, about 400 feet high, composed of fragments and blocks of sandstone. On one of the Arabs scrambling up it, the sand was put in motion, and, as it rolled down, a tinkling sort of sound was heard 'like the faint strains of an Æolian harp.' This is quite intelligible; but we were not prepared to be told also, that the reverberation, as it reached the base, 'attained the loudness of distant thunder, causing the rock on which we were seated to vibrate.' It was loud enough to frighten the camels.

It would have been unpardonable in our author not to visit Mount Sinaï, to which every traveller to this part of the world makes a point of going, be it only to write his name in the album of the Greek monastery. Mr. Wellsted did so; ascended the mountains; examined the curiosities of the convent—and then the rock with its fissures, out of which Moses caused the water to gush. Among the names registered in the monastery book was that of Wolff the missionary, whose semi-lunatic vanity seems never to omit an opportunity of making itself notorious:—

'Jos. Wolff, Missionary to the Jews, employed by Henry Drummond, Esq., arrived here Nov. 6th, 1821. Many, many of my ancestors sleep here; *and* Moses gave here his holy law under thunders and lightnings. He was on the top of the Mount for forty days and forty nights: he did neither eat bread nor drink water; but he lived of every word that came out of the mouth of the Lord. He saw that prophet which was like unto him, Jesus Christ our Saviour, and his Saviour. Written by Mr. Joseph Wolff from Germany, *sent forth* by Henry Drummond, 22, Charing Cross, London, to preach the gospel of peace to the Jews.'—vol. ii. pp. 83, 84.

After the very minute and detailed accounts of Sinaï, and everything connected with it and the whole promontory, given by the indefatigable Burckhardt, and more recently by Laborde, besides a multitude of others, we deem it wholly unnecessary to dwell on the

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the observations of our present traveller, who, after so many visiters, English and foreign, have published their remarks, cannot be expected to supply much, or indeed any, new information. He found the manna which drops from the tamarisk, but the unfortunate Seetzen was the first to discover this. Burckhardt, in noticing it, says, 'In Nubia, in Abyssinia, in every part of Arabia, in the valley of the Hedjas, on the Euphrates, the tamarisk is one of the most common trees;' but adds, 'I never heard of its producing manna except near Mount Sinaï.' This substance, however, be it what it may, vegetable or animal, is not the product of the tamarisk alone; Niebuhr says it is found in Mesopotamia on more than one species of oak; and a young Turk told Burckhardt it was collected from the same tree that produces galls, and that the inhabitants used it as honey. Hasselquist, if we mistake not, found it near Sinaï on the Hedyserum Alhagi.

The Strait of Jubal above mentioned forms the entrance into the gulf of Suez, one of the two great forks of the Red Sea, the other being the gulf of Akaba. The former washes the western shore of what is called the *Peninsula* of Mount Sinaï, and the latter the eastern shore. From the point of bifurcation which is called Ras Mahommed, the land gradually and uninterruptedly widens out, like a wedge, until it unites with Egypt on the west, Arabia on the east, and Syria on the north. It is therefore a gross misnomer to call it a *peninsula;* and we should recommend the Geographical Society to amend their nomenclature, and call it, what it really is, the *Mountainous Promontory* of Sinaï; the highest point of which by the survey, taken from the gulf of Akaba, is stated to be about 7500 feet; the general elevation of the rest of the chain from three to five thousand feet.

Almost every traveller, English or foreign, who approaches the Egyptian shore of the gulf of Suez, imagines he has discovered the route of the Israelites, and the precise spot where the host of Pharaoh perished. 'Dismissing from my mind,' says Mr. Wellsted, 'all former hypotheses, and with the Holy Scriptures for my guide, I am convinced this must have taken place near Suez. The objection,' he adds, 'to the want of sufficient water there to drown Pharaoh's host is not entitled to any weight;' for he observes that, after a north-westerly wind, the water recedes, and if met by a south-east wind, it rises very suddenly, sometimes as much as six feet. We wish these gentlemen, who are so ready on all occasions to reconcile, or the contrary, Scripture revelation with physical causes, would only recollect that the matters in question, the passage of the Israelites, and the destruction of Pharaoh, were *miracles*, brought about by Divine interposition, and that the exact locality and usual depth of water are questions utterly

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utterly unworthy of any consideration. But this and other subjects connected with Holy Writ, we have already so fully, and we hope satisfactorily, discussed in our recent review of Leon de Laborde's work (No. CXVII.), that we think it unnecessary to add here another word.

In crossing the gulf at Suez accidents frequently happen, in consequence of the changes mentioned by Mr. Wellsted, and he puts us in mind that Napoleon Buonaparte, on one occasion of the kind, had nearly perished. This modern and ephemeral Pharaoh of the Egyptians is said to have observed, in reference to this accident, that, had he been drowned, it would have furnished texts for all the preachers in Europe; it would have done more—it would have spared Europe the destruction of ten times as many human beings as Pharaoh's host consisted of.

The other branch, the gulf of Akaba, is very little known, and perhaps was never before visited by a square-rigged vessel of any kind. It is deserving, therefore, of more particular notice, especially as its character differs from any other inlet of a similar description that we are acquainted with. This gulf is bounded on the west by irregular, precipitous, and naked hills, from 800 to 2000 feet in height;—on the east, or Arabian side, by an elevated stony plain, gradually rising from the sea into a ridge of mountains, nearly parallel to the gulf, about 3500 feet high. Its length from the entrance at the Island Tirahn to the northern extremity is about ninety-five English miles; the width of its entrance only five miles, and the average breadth from ten to fifteen. Its depth throughout the whole extent is unknown—no bottom having been found, by our surveyors, with two hundred fathoms of line out, at the distance even of fifty yards from the beach. But by each shore there runs a ledge of coral rock, on which, in various parts, there is depth of water enough for vessels of a moderate draft to navigate, and by some of its openings or passages access is afforded to indifferent harbours and anchoring ground:—such harbours are called *sherms*. At its northern extremity are the remains and ruins of the port of Elan, from which the gulf was known to the ancients by the name of the Sinus Elaniticus. The coral beds of this gulf and of the Red Sea generally are thus described by Mr. Wellsted:—

'Through the bright blue and pellucid water, we could then discern the minutest objects at an immense depth, and the secrets of the deep thus laid open to us afforded the most magnificent spectacle which can be conceived. Although there were neither

"Wedges of gold, vast anchors, heaps of pearls,
Nor other treasures of the vasty deep,"

yet the productions of nature, valueless but far more beautiful, were before us; every formation of the coral was exposed to view: on the

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one hand, we had a huge and shapeless pile, formed by thin horizontal layers; on the other a ponderous, and widely-spread mass, like a huge blossoming plant, supported by a thin cylinder, or stem. Successive circular fragments reared themselves aloft, or assumed the fantastic, tortuous forms of gnarled and knotted forest-trees: how varied, how beautiful was their colouring! sometimes appearing of a brilliant red, blue, or purple; sometimes gorgeously diversified with orange, crimson, or the deepest black.'—vol. ii. pp. 228, 229.

To be caught in a gale of wind at night when in the midst of this gulf, where there are no soundings at any known depth, even in places at a distance of a few yards only from the shore, must be attended with extreme danger; and such was the case with the Palinurus. Drifted upon a coral reef, where rocks were visible under the ship's bottom, they were compelled to let go two anchors in three fathoms—but Mr. Wellsted shall describe their perilous situation:—

'She then swung round, and we had no bottom under the stern at eighty fathoms. Had the ship fetched a few yards further to the northward, or had the captain's vigilance slumbered for an instant, nothing could have saved us from destruction; and, with the impression of our narrow escape still on our minds, we viewed with some anxiety the precarious nature of our anchorage. We were on the verge of a steep bank or precipice, from whence, in case our anchors had dragged, we should have been again away with our bagalá,—whether to drift on other rocks to leeward, or to proceed again on an unknown sea, with wind and sea both increasing, was equally uncertain. The scene will not readily be forgotten by those who witnessed it.

'Through the gloom of a dark night, yet further increased by a musky haze, we could perceive, towering far above the mast-heads of the vessel, a huge perpendicular range of mountains, against the base of which, apparently within a few yards of us, the surf was beating with that hoarse and sullen roar which it utters when tumbling headlong into caverns, fretted and worn by its former frantic violence. On such a coast, the stoutest vessel ever constructed by the hands of man must, within a few minutes after striking, have been shivered and strewn alongside of it.'—vol. ii. pp. 128, 129.

After some time the gale drove her off, and increased rapidly. The sea was rolling heavily, and the little native vessel called a *bagalá*, which accompanied them and belonged to their Arab pilot, appeared to be in most imminent danger; every succeeding wave was expected to fill and sink her; and more than once the cry was raised that she was gone. The following exhibits a fine trait of the old Arab:—

'The feelings of Serúr, our pilot, must have undergone a severe trial, for his five sons were in the boat; but the stout-hearted old man permitted no other sign of a parent's anxiety to escape him, than by occasionally uttering a short prayer for their safety. Yet his was not that apathy and indifference to immediate and pressing danger, which characterises

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racterises his countrymen and Oriental fatalists in general. With the keenest and fullest sense of their perilous situation, he watched as carefully over the pilotage of the vessel on her approach to, and passage through, the reef, as if the ship, and not his boat and children, had been the object of his solicitude. It was true he did not often trust himself to look at her; and there were few among us who could endure more than an occasional hurried glance. Within the bay the water was smooth; and here, with two anchors ahead, we were left to console ourselves for our second attempt to reach Akaba.'—vol. ii. pp. 131, 132.

A second time the Palinurus had a narrow escape from being shipwrecked, but was saved by reaching the ruined town of Jezirat Pharoun, where they found good anchorage and smooth water between the island and the main. Hither supplies were brought from the town of Akaba in six hours. This place, situated at the short distance of about two miles beyond the extremity of the gulf, is supposed to occupy the site of the ancient towns of Ailah, Elana, and Azouan; and close to it the ports of Elath and Essiongeber are laid down by both ancient and modern geographers; but Mr. Wellsted says, 'Ports, it is certain, there are none, and even their ruins have all passed away.' Modern Akaba even is now alone remarkable for its castle and date-grove; the former placed amidst the latter at about 150 yards from the beach. It is garrisoned by about forty barbaresque Arabs, and within its walls are a few huts occupied by Bedowins. To this place the pilgrims resort in large numbers, on their route from Cairo to Mecca; and at such periods the Bedowins assemble from all quarters to dispose of their sheep and butter. Water is everywhere plentiful and good, and dates, fruits of various kinds, and vegetables, abound.

Mr. Wellsted says, that 'for want of a *firman* they had few opportunities of investigating the surrounding country'—without one there was some risk that the natives would seize and demand from them a heavy ransom, as they had attempted to do a little farther down on the same coast; he, therefore, prudently did not extend his rambles in this quarter; but he pays a very proper compliment to the labours of two highly respectable foreigners who travelled in this part of Arabia.

'Our not having done so is of little importance, since this portion of the globe has been minutely investigated by Laborde and Rüppel. It would be unjust, while mentioning the latter traveller's name, to withhold the tribute due to him for the correctness of his chart of the Gulf. Before its publication we had not one which was even tolerable; and if our survey, in a practical sense, has rendered his of less importance, yet, in a scientific point of view, its value will be enhanced by the stamp of fidelity with which our labours have invested it.'—vol. ii. pp. 147, 148.

Mr. Laborde has also produced a very interesting and splendid work, illustrated with numerous lithographic prints, from the press

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of Paris, but it is got up on so gigantic a scale, equal nearly, in magnitude, to the 'Grand Livre d'Egypte,' that none but the wealthy can pretend to possess a copy of it. We may notice, however, for the benefit of the English reader, that a good translation has just been published in one beautiful little volume, with numerous engravings in wood, and with notes from preceding travellers. It contains, also, notes from our copious review of the French original.* We only regret it does not give us much information respecting what we consider to be a point equally interesting to geography and geology,—we allude to that great valley, or ravine, called by Laborde Wady Araba, and on the common maps, and by Burckhardt, El Ghor. This valley, whose length is about the same as that of the Elanitic gulf, has all the appearance of being a prolongation of it. It runs in the same direction, and is enclosed by the continuation of the same range of mountains on either side, till they fall in with those that surround the Dead Sea, and this also maintains the same northern direction, with the gulf and the valley, to the point where it receives the waters of the Jordan.

Viewing them, therefore, in this continuous connexion, it would be a most desirable point to have some detailed account, from actual observation, of the valley and the Asphaltic sea; but of the former we have none, and of the latter, nothing precise. Laborde, indeed, proceeded along the ravine as far as to the opening in the eastern chain, which affords a passage to the Wady Mousa, and the extraordinary ruins of the city of Petra, which, previous to his excursions, had been visited by Burckhardt, Bankes, Legh, Captains Irby and Mangles, but by different routes. This pass through the eastern mountains is scarcely half way between the gulf of Akaba and the Dead Sea. It is described as becoming, at a little distance from the plain of Akaba, as barren as the desert. Further on there is a marshy plain, which afforded nutriment to a group of palm trees, with some other tokens of former cultivation. Near this place were also found the remains of an Arabian cemetery. After this the ravine continued a bleak wilderness, as far as the pass of Garandel, which opens into it from the westward, and through which Burckhardt proceeded in his way to Petra. The mountains on both sides of El Ghor are said to consist of granite and porphyry, and there is every appearance of a river having once flowed down the middle of the valley. Throughout the whole distance travelled in it by Laborde and his party, the only animal seen was a poor little hare, which they soon ran down: and it is probable the barren and solitary nature of El Ghor continues to its northern extremity.

Laborde is of opinion, and he is not singular, that at one time

* Quarterly Review, No. 117.

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the waters of the Dead Sea flowed down El Araba into the gulf of Akaba; but there are two objections to this having ever been the case within the last three thousand years, or since the relative situations of the three parts we have mentioned underwent that awful change mentioned in the Scriptures. In the first place, we learn from Captains Mangles and Irby that the valley is terminated by a ridge, which crosses it at the distance of several miles from the sea; between which and the ridge is a flat marshy plain, whose waters drain off to the northward into the sea; and in the second place, we understand it has been very recently ascertained by two young gentlemen, Messrs. Moore and Beek, still on their travels, that the level of the Dead Sea is considerably lower than that of the gulf of Akaba; no water, therefore, can pass from the former into the latter: what may have been the case, prior to the catastrophe alluded to, when it has been supposed the river Jordan pursued its course through the El Araba into the Elanitic gulf, is, and must continue to be, mere matter of conjecture.

The two gentlemen, it appears, hired a boat at Jaffa, and with great labour had it conveyed across the country to the Dead Sea, for the purpose of enabling them to make a complete survey of it; and it is stated, that with a line of 300 fathoms they got no bottom.* Should this be so, how forcibly is the mind called back to the time when 'the Lord rained upon Sodom and upon Gomorrah brimstone and fire from the Lord out of Heaven,' when 'the smoke of the country went up as the smoke of a furnace,' when, we may readily believe, the deep chasm now filled with the poisonous waters of the Dead Sea was thrown open by that awful and tremendous volcano, which swallowed up those two devoted cities: then, indeed, it may well be imagined that the fertile plain through which we are told the Jordan flowed, was converted into a bitter, bituminous, and saline lake, which stayed the ancient course of the river. In visiting this scene, and looking upon the surrounding objects, how strongly must the warning admonition, 'Remember Lot's wife,' have impressed the minds of Mangles and Irby when they looked upon 'the hill of salt'—'the fragments of rock salt lying on the ground, and hanging from cliffs in clear perpendicular points, like icicles!' The truth of the inspired writings is, perhaps, nowhere more strongly manifested than in all the existing circumstances in and around the immediate neighbourhood of the Dead Sea.

But to return to Mr. Wellsted. He says that 'abreast of Magnah' (that is on the opposite or Sinai side) 'is Mersa Daháb, "the golden port," which some geographers, with much show of probability, seek to identify with Ezion-geber;' and 'that it is cer-

* Vol. VII. Part II. of the Geographical Society's Journal.

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tainly the only well-sheltered harbour in the sea;' and as a semicircular belt of coral is stated nearly to surround it, he asks, 'might not this have been the ledge of rocks on which Jehosaphat's fleet was wrecked?' Who these geographers may be, who seek to identify Daháb with Ezion-geber, we know not, but we must say they have read their Bible very carelessly to arrive at such a conclusion. Nothing can be more distinctly pointed out than the position of this great commercial mart is, in the Sacred Writings. 'And King Solomon made a navy of ships in Ezion-geber, which is beside Eloth, on the shore of the Red Sea, in the land of Edom.' Burckhardt says, 'Near Aila (Akaba) was formerly situated a large and handsome town called Asyoun-Ezyon-geber.' And Mr. Wellsted himself, a few pages afterwards, speaks of the 'ports of Eloth and Esion-geber, situated near the head of the Elanitic Gulf.' All historians agree as to the position of Ezion-geber, the mart from which Solomon received gold and other merchandize into his warehouses in Jerusalem.

It is no objection that there should not be found, at the present day, any port or harbour on the Idumean coast near to the great commercial station of Akaba. We must recollect that the coral reefs noticed by Mr. Wellsted, which almost entirely form the harbours of the Red Sea, are constantly in a state of change, by the gradual but incessant production of these little insect operators, and by the demolition of their extraordinary fabrics, which the boisterous waves of this stormy sea are as constantly effecting. The ridges of coral that now form the harbour of Daháb, on the opposite shore, and at the foot of the mountainous promontory of Sinai, may, in their turn, be swept away, as in all probability those of Ezion-geber have been, on which 'the ships of Jehosaphat were broken.'

Mr. Wellsted tells us, however, that at the present day Merza Daháb is the only well sheltered harbour in this gulf; that within it there is spacious anchorage, and that, if steam-navigation extends to this offshoot of the Red Sea, it will become a most valuable station. It may be doubted, however, if sailing vessels will ever be tempted to enter this dangerous gulf, even should Akaba or Azouan ever resume its commercial character; indeed Wellsted says, on taking leave of it, 'As the Palinurus was the first, so probably she may be the last, vessel destined to *sail* along its wild and rocky shores.'

We have not much to notice in the progress of the ship along the Arabian shore of the Red Sea. The greater portion of this is tolerably well described by former travellers. The Arab character of the towns is very different from that of the simple Bedowins of the interior. At Yembo, the port of Medina, and Jidda, that of Mecca, a mixture of all nations prevails, which has in

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in a great measure destroyed the original type. Mr. Wellsted, however, seems to have missed no opportunity of examining the neighbouring country. In one of his excursions he says,

'At first the Bedowins seemed to view our landing with suspicion; but I walked immediately up to the Sheïkh's hut, which is always on the western side, and may further be distinguished by the lance planted in the ground alongside of it. Like the patriarch of old, he was seated at the door of his dwelling. "You are welcome," said he, rising as I approached, and stroking his snow-white beard: "be seated;" pointing to the Persian carpet which but partially covered the floor of the apartment. He then inquired the object of my visit, and appeared perfectly satisfied when I explained that it was merely to see and converse with him, and to inquire respecting the ruins. Coffee, milk, and dates were now introduced, and, as we got better friends, the slave was directed to bring his children. He was delighted at the notice I took of, and the few presents I gave to them; so true it is that human nature is everywhere the same. Thus, with the "wild man," as with the polished inhabitant of civilized Europe, the nearest way to a parent's heart is to caress his children.'—vol. ii. pp. 200, 201.

He contrasts the morals of the women of Egypt with those of Arabia:—

'The females of Egypt are remarkable for utter profligacy of morals; they intrigue openly and indiscriminately with Mohammedan, Jew, and Gentile. Not so the Arab women in Jiddah and other towns on the Red Sea, who are comparatively virtuous; that is, their favours are not usually extended to any except those of the true faith. Deviations from this principle, nevertheless, occur. During one of my visits to that town, a Frenchman attached to the Pasha's army was surprised by the husband of his paramour: he contrived, notwithstanding, to escape from the house, and, mounted on a swift horse, succeeded in reaching Meeca, where, by proclaiming himself a Mohammedan, his life was safe. "And the woman?" I inquired. "She has never since been heard of," my informant significantly replied.'—vol. ii. pp. 211, 212.

At another place he has an opportunity of witnessing an assembled group that strongly impressed him with the unalterable picture of Ishmaelitish manners:—

'It was nearly sunset: under the guidance of young boys, sheep, asses, and other cattle were approaching the encampment from afar; maidens were hastening to milk them. The more aged females prepared the evening meal, consisting of huge heaps of rice, piled upon circular wooden bowls, and deluged with butter; while the young and old men at their devotions, bowed prostrate in the sand, their unsheathed swords ever ready and planted before them. The murmur of their prayers mingles with the bellowing of camels, the bleating of sheep and goats, and the deep bark of the shepherd-dog; altogether it is a busy scene, and the more interesting, that it requires little aid from the fancy to transport us to the days of the Patriarchs, when the tents of Judah were

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were spread over these plains, and Moses here tended the flocks of Jethro.

'A Bedowin now approaches;—a female going forth to meet him;—he asks for water; "O, stranger!" she replies, "our encampment affords no water, but milk we freely offer to you." She then returns to the tent, and, though it may deprive her own family of their evening meal, again approaches, modestly holding up her loose drapery to conceal her bosom with the one hand, and gracefully presenting a bowl—"the lordly dish"—to the traveller with the other. He drinks; and with the characteristic and appropriate phrase, "May safety be with you!" he returns the vessel to her, and resumes his journey.'—vol. ii. pp. 214, 215.

We must now cross over to the Nubian and Egyptian side of the Red Sea. On the coast of the former, near Meerza Helaib, our author meets with a party of the Huteïmí, whom he considers to be a remnant of the ancient Ichthyophagi, so minutely described by Diodorus Siculus:—

'I one day strolled some distance from the ship, along the sea-shore, and came unexpectedly upon a group of the Huteïmí, consisting of an old man, a woman, and a young girl. The former was stark naked, and the latter had no more clothes than barely served the purposes of decency. At first they were greatly alarmed, and threw themselves at my feet, earnestly supplicating for their lives. On being satisfied that no harm was intended them, they were persuaded to accompany me to the ship. I never witnessed misery more strongly pourtrayed than in this group: their boat had left the week before for the purpose of catching turtles, and their only subsistence for the last three days had been raw shell-fish, gathered along the sea-coast. They devoured with the utmost voracity the provisions we gave them, eating the rice without any preparation of cooking. I observed that their finger-nails, from constantly digging in the sand, when in search of food, were almost totally destroyed.'—vol. ii. p. 262.

It would encroach too much on the limited space we have to occupy were we to enter into any detail of the various transactions and observations recorded on the Nubian and Egyptian shores of the Red Sea; but we cannot pass over Mr. Wellsted's complete vindication of that extraordinary man Bruce, from the unfounded charges which have been brought against him in this, as well as in other parts of his travels; in the present case, 'grounded on the suspicious coincidence between the positions assigned by him, and those given by Niebuhr to the same places.' We are delighted in being able to lend a wider circulation to Mr. Wellsted's refutation of these futile and disingenuous charges. To show the accuracy with which this distinguished traveller made his observations, which he is charged with pilfering, we transfer to our pages the tabular account in which they are compared with those of the late survey:—

TABLE

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TABLE OF COMPARISON.

Names of Places.	Latitude by Bruce.	Latitude by Survey.	Difference.	Remarks.
	° ′ ″	° ′ ″	° ′ ″	
Kosaïr . .	26 7 51	26 6 59	0 0 52	Long.—34° 4′ 15″ E. Bruce; 34° 23′ 30″, Survey.
Cape Nose, Ras Bernos, or Ras el Ans	24 3 00	23 54 00	0 09 00	This latitude is taken from the chart, where the Cape is not distinctly defined. Bruce places but little reliance on this observation, for he says (vol. ii. p. 113), "I computed myself to be about four miles off the meridian distance when I made the observation, and take the latitude to be about 24° 2′ on the centre of the island."
St. John's, or Bruce Island	23 38 00	23 36 00	0 2 00	Bruce, shortly before anchoring at this island, observes (vol. ii. p. 115), "that he was sure of his latitude;" he does not, however, specify it in his Narrative, and I have taken its position from his chart. From St. John's he returned to Cosseir; on the 5th of April he quitted Cosseir, and proceeded northward towards Tór, in the Sea of Suez.
Jaffatine Isl.	27 11 00	27 11 30	0 0 30	This latitude is taken from the chart. No observation inserted in the Narrative or Appendix.
Shadwán, S.E. point	27 19 00	27 27 00	0 8 0	Taken from Bruce's chart.
Tor . . .	28 14 00	28 14 6	0 0 6	Ditto. Bruce remained here several days.
Rás or Cape Mohammed	27 45 00	27 43 00	0 6 0	Lord Valentia (in vol. iii. p. 281) has stated the latitude of Rás Mohammed, as given by Bruce, to be 27° 54′, whereas the Cape is not only marked at 27° 40′ on the chart, but Bruce also says, in his Narrative (vol. ii. p. 141), "At night, by an observation of two stars on the meridian, I concluded the latitude of Ras Mohammed to be 27° 54′. This must be understood of the mountain or high land which forms behind the Cape, and not the low point. The latter extends three leagues to the southward of the high land." Therefore, three leagues or 9′ S.; lat. of high land 27° 54′; which would place the low point in 27° 45′ lat. N., according to Bruce, a difference of 3′ from our result, but of 9′ from Niebuhr's.
Hasani . .	24 54 00	24 58 00	0 4 00	
Yembo' . .	24 3 35	24 5 20	0 1 45	It is again at least singular that Lord Valentia states Bruce's latitude of this port at 24° 5′, whereby it is again made to agree with Niebuhr's. I take the latitude of Bruce from the text (vol. ii. p. 158). In the Appendix (vol. vii. p. 172) the altitude of the star Pegasus is given, from which this is computed. In the Appendix (vol. vii. p. 381) Bruce gives the longitude, deduced from two observations of Jupiter's satellites, at 38° 16′ 30″, exactly agreeing with what we made the longitude deduced from Jiddah, supposing that place to be in 39° 18′, as we and several other ships have determined it.

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Names of Places.	Latitude by Bruce.	Latitude by Survey.	Difference.	Remarks.
	° ′ ″	° ′ ″	° ′ ″	
Baraïka	23 36 9	23 36 40	0 00 31	Narrative, vol. ii. p. 159.
Sherm Rabegh .	22 46 00	22 43 30	0 2 30	Ditto, vol. ii. p. 161.
Ras Hâtaba	22 1 00	22 00 10	0 0 50	
Sherm Ooboor or Charles River	21 45 00	21 42 30	0 2 30	
Jiddah . .	21 28 1	21 28 30	0 00 29	This latitude is deduced from the means of six stellar altitudes given in the Appendix, vol. ii. p. 372; the data and calculations, the latter by Dr. Maskelyne, from which the longitude is deduced, are given in the same volume, p. 382; and there Bruce made it in longitude 39° 16′ 45″; we made the longitude 39° 16′ 00″.
Gooss . .	20 50 00	20 47 30	0 02 30	
Merkát . .	20 29 00	20 29 40	0 09 20	
Mersa Ibrahim	20 8 00	20 8 40	0 00 40	
Rás el Askar	19 55 00	19 51 10	0 3 50	
Gonfodah .	19 7 00	19 7 30	0 00 30	
Rás Hali .	18 36 00	18 35 15	0 00 45	
Manoud .	18 25 00	18 16 10	0 08 50	
Dahaban .	18 11 00	18 5 40	0 5 20	
Kotumbal .	17 57 00	17 53 47	0 03 13	
Ghisan .	16 45 00	16 53 5	0 08 5	
Loheïya .	15 40 52	15 41 20	0 00 28	Bruce, by means of two observations of Jupiter's satellites, makes the longitude of Loheïya (vol. vii. Appendix, p. 384) 42° 55′ 15″ E. The Benares made it, deduced from that of Mokhá, 42° 47′ 30″. In the text (vol. ii. p. 219) the longitude is given 41° 58′ 15″; but this must be a mistake, since the lines give what I have stated.
Kamarán .	15 20 00	15 20 12	0 00 12	Kamarán, by some mistake, probably of the press, is stated in the text (p. 127) to be in latitude 15° 39′; but the chart places it in the latitude I have inserted.
Foosht . .	15 59 43	16 10 00	0 10 17	
Hodeidah .	14 48 00	14 47 20	0 00 40	
Jebel Feir .	15 38 00	15 32 50	0 5 10	
Mokhá . .	13 20 00	13 19 55	0 00 5	
Cape Babelmandeb	12 39 20	12 41 00	0 01 40	The station where the latitude was observed by the Benares was on the N.E. extremity of the island, on a projecting point; but Bruce appears by his Narrative to have observed his on the S.E. There is a difference of one mile between the two.
Crab Island	13 2 45	13 3 30	0 0 45	
Racka Garbía	15 33 15	15 32 50	0 0 23	
Dobelew Isl., extreme of the village	15 42 22	15 45 40	0 2 18	
Ras Shonk	15 30 30	15 35 20	0 4 50	
Ras Antalow	15 50 30	15 53 50	0 3 20	
Massowah .	15 35 5	15 36 00	0 0 55	

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Mr. Wellsted remarks, that of the eleven positions of Niebuhr's and Bruce's observations, as given by Lord Valentia, three only approximate so closely as to warrant any suspicion of plagiarism. Whereas, in the above table, it will be found that, out of thirty-seven latitudes compared with those of the survey, sixteen (not *fourteen*) agree within the mile, nineteen within two miles, and twenty-eight within four miles; 'and these observations, it must be remarked, refer not to the east coast of the sea alone, where Bruce had the positions of Niebuhr before him, but are taken indiscriminately from both sides, from places where Niebuhr never was.' 'I experience,' says Mr. Wellsted, 'the most heartfelt satisfaction in contributing my humble efforts to those of other travellers, who have sought to rescue an illustrious name from the obloquy to which it has so long and so unjustly been consigned.' And this brings him to notice some animadversions made by Lord Valentia, on the want of veracity in Bruce's statements. 'When a person attempts,' says his lordship, 'to give geographical information, it is necessary that this information should be accurate, and that he should not advance as certain a single circumstance of which he had not previously informed himself'—in all which we most cordially concur; but when his lordship insinuates, nay, in fact, asserts, the reverse to be the case with regard to Bruce, he should at least have taken care that he had 'removed the beam out of his own eye;' but we leave him to Mr. Wellsted, who thus administers his gentle correction:—

'All charts are, or ought to be, accurate in proportion to the means afforded for, and the time consumed in, constructing them. Lord Valentia, whose observations on these several points are thus wholly incorrect, was nearly two years in the Red Sea—Bruce was five months: the former was provided with chronometers and other costly instruments, and was accommodated in a vessel "completely officered and equipped as a man-of-war,"—"and that everything might be completed to his comfort, the commander was directed to keep a table for him at the expense of the East India Company." Bruce hires at his own cost a boat, the planks of which are sewn together with cordage. In this crazy bark he traverses the whole length of a sea (nearly one thousand two hundred miles), the navigation of which has, from the earliest to modern times, been considered perilous, even to a proverb. Lord Valentia sails under the auspices of the then Governor-General of India, the Marquis of Hastings, and under the powerful protection of the English flag, which the late expedition to Egypt had taught even barbarians to respect. Bruce journeys as a private gentleman, with the sole noble object of enlarging our stock of geographical knowledge. He had no government to look to his comforts—his resources were all his own.'—vol. ii. pp. 330, 331.

And here we must conclude our notice of the second volume. The

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The remaining part, however, contains much new and interesting information, particularly the undoubted establishment of the site of ancient Berenice, by the discovery of a Greek tablet in the ruins of a temple concealed under the sand;—and a visit to the port of Berbera, on the coast of Abyssinia outside the Strait of Babelmandeb, which is frequented by the Gallas (or Sumális), who carry on a very extensive trade with the southern parts of Arabia: a trade employing, so our author says, about two hundred and fifty boats of from forty to a hundred tons annually. The exports of these Africans are said to consist of *coffee*, myrrh, ostrich feathers, tanned hides, small quantities of gold dust, and *slaves*. Our author says, the Arabs have a tradition that the coffee plant is a native of Abyssinia, from whence it was first brought into their country. With regard to *slaves*, we may take this opportunity of observing, that while every newspaper of the last thirty years records meetings and debates about the African slave-trade, one, and perhaps not the lesser, branch of that trade is hardly ever alluded to. The whole Eastern world has from all time been supplied with annual myriads of negroes, male and female; and, however sinful the share of Europeans in the same traffic, it is unjust to charge them with creating in the interior of Africa the brutalized habits on which the supply of the slave-market must from infinitely remote antiquity have depended. It is a melancholy fact, too, that the caravans of black captives continually seen arriving on the shores of Abyssinia for the use of the Orientals, consist in great part of unfortunate beings obviously belonging to tribes and races in a higher state of civilization than any that have ever been drawn upon for the plantations in America. Moreover, it need scarcely be added, a very great proportion are cruelly mutilated prior to their voyage—which, indeed, many hundreds and thousands do not survive to undertake at all.

We now turn to the first volume. As the Arabian provinces of Hydramaut and Omán, together with the eastern shore bordering on the Persian Gulf, were almost wholly unexplored, Mr. Wellsted proposed, in 1835, to accompany the army of Mahomed Ali into Arabia (to which the Indian government immediately acceded), as being the best means of introducing himself into the interior; but the Pasha's army having been defeated with great slaughter by the Wáhábís, and a miserable remnant only having reached the sea-shore, this project of course dropped. His attention was next turned to Omán, and the Bombay government so far sanctioned his views, as to give him a circular recommendatory letter, calling on all those who were desirous of maintaining the friendship of the British government, to show him every attention and civility.

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The province of Omán is a narrow strip of land of irregular width, the broadest part not exceeding one hundred and fifty miles. The Indian Ocean bounds it on the east, and the Great Desert, which extends to Mecca, on the west. Its length may be estimated at nearly four hundred miles, from the island of Mazeira, in lat. 20° 48′, to Cape Mussendom, lat. 26° 24′, where it terminates in the form of an acute angle. So little is known of the interior of this portion of Arabia, and so few Europeans have even partially visited it, that although the customs, the habits, and the condition of the Bedowins have been so fully described by Burckhardt in all parts of Arabia (except this), in Egypt, Nubia, and the African Deserts, yet, as we may expect to find them in their original purity in Omán, we shall extract from Mr. Wellsted's copious notices, a brief sketch of this ancient people.

On the arrival of our traveller at Muscat (which he calls *Maskat*), he asked for a private audience of the Imám, which was immediately granted. He was prepared, by previous knowledge of *Sayyid Said's* liberality, to meet with no unfavourable reception, but was no less surprised than delighted to find the eagerness with which he entered into his views. 'It is,' he said, 'occasions like these which afford me real pleasure, since they enable me, by meeting the wishes of your government, to evince the strength of my attachment;' and he added, in a tone that Mr. Wellsted says there was no mistaking, 'these are not words of the tongue but of the heart.' The following morning he received from his highness a fine Nejd horse for his journey, a brace of greyhounds, and a gold-mounted sword, together with an intimation, that so long as he remained in Omán the best the country afforded should be his.

We agree with our traveller that the virtues of this generous and liberal ally of the East India Company have hardly been made known sufficiently to the European reader. He says:—

'Sayyid S'aid is fifty-two years of age, and has reigned twenty-seven years. He possesses a tall and commanding figure; a mild, yet striking countenance; and an address and manner courtly, affable, and dignified. In his personal habits, the Imám has preserved the simplicity of his Bedowin origin; he is frugal almost to abstemiousness; he never wears jewels; his dress, excepting in the fineness of the materials, is not superior to that of the principal inhabitants; and he is attended on all occasions without pomp or ostentation. It is noticed by the Arabs, as an instance of the warmth of his affections, that he daily visits his mother, and pays, in all matters, implicit obedience to her wishes. In his intercourse with Europeans, he has ever displayed the warmest attention and kindness; probably, if any native prince can with truth be called a friend to the English, it is the Imám of Maskat; and even on our side,

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side, the political connexion with him appears to have in it more sincerity than is generally supposed to exist.

'The government of this prince is principally marked by the absence of all oppressive imposts, all arbitrary punishments, by his affording marked attention to the merchants of any nation who come to reside at Maskat, and by the general toleration which is extended to all persuasions: while, on the other hand, his probity, the impartiality and leniency of his punishments, together with the strict regard he pays to the general welfare of his subjects, have rendered him as much respected and admired by the town Arabs, as his liberality and personal courage have endeared him to the Bedowins. These splendid qualities have obtained for him throughout the East the designation of the Second Omar.' —vol. i. pp. 6—8.

We shall pass over the description of Muscat, and its mingled mass of Arabs, Persians, Indians, Syrians, Kurds, and Afghans, &c.; its Jews and its Banians, the whole of which, with the neighbouring muttrah, we are told, enumerates a population of about sixty thousand souls. It is the greatest mart on that side of Arabia, and caravans of Bedowins from the interior are constantly bringing the products of their industry for sale. The complexion of these people is said to be much fairer here than on the opposite shore; they have dark, lively, expressive eyes; a well-formed nose and mouth; and their pearly white teeth offer a fine contrast to those of the town Arabs.

Mr. Wellsted lost no time in setting out upon his journey, which it was his intention to prolong as far as Derayyah, the capital of the Wáhábís. He proceeded in a boat to Súr, a pleasant, healthy place, where he was to remain until camels and guides could be collected. While here he received the following gracious epistle from the Imám:—

'In the name of God, most merciful, from Sayyid the Sooltan, to his Excellency, the esteemed, respected, beloved, the perfect Captain Wellsted, from the eastern government, peace be with you from the Most High God; and, after that your letter reached us, which was a proof of your love in remembering us, we greatly rejoiced at your arriving at Súr, and your departure for Jaïlán, which is as we directed it, and from thence to Semmed, and which was gratifying to you, and, therefore, pleasing to us; and, furthermore, anything which you require from us, whether little or much, it is only for you to request it, and it is on our part to grant it. Peace be to you, and farewell.—True,

'Sayyid Sooltan.'—vol. i. pp. 48, 49.

Our author gives no very flattering account of the Bedowin tribes that he fell in with in the early part of his journey. That of Beni-Abú-Hassan is estimated at 1200 men, exclusive of women and children; and these have no other employment, he says, than tending their date-trees, leading an idle life in most other respects, and

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and are constantly engaged in quarrels and disputes either among themselves or their neighbours. 'In appearance they are the wildest and most uncouth beings I have hitherto met with: they go almost naked, and their hair is worn long, reaching nearly to the girdle.' The Sheïkh of the principal village advised him not to visit the neighbouring tribe of Beni-Abú-Alí, who, he said, were disaffected to the Imám, hated the English, and, in a word, were perfect devils. There was some reason for their 'hating the English,' as the following occurrences will show.

When the Wáhábís were overrunning Omán, this tribe either voluntarily became, or were compelled to become, converts to the new light of these restless sectarians of the Mahomedan faith. Having built a strong fort, they carried fire and sword into the neighbouring districts. The Imám's endeavours first to bring them back to their peaceable habits, and then to dislodge them, proving equally ineffectual, he applied for assistance to Captain Thompson, who in 1821 had been left with a force of 800 men, chiefly sepoys, on the island of Kishm, to put down piracy. Under the impression that a party of this tribe had been engaged in extensive acts of piracy, the Captain despatched a letter of remonstrance to the Sheïkh, the bearer of which he caused to be immediately massacred. On this the Captain determined to proceed to Súr with his whole force, and being there joined by some troops of the Imám, marched into the country of these Bedowins, about fifty miles from Súr, who everywhere retreated before them, into a date-grove by which the fort is surrounded. Unaware of this, the united forces marched up to the precincts of the grove, when suddenly rushed forth the whole armed tribe of Abú-Alí, like the clan of Rhoderick Dhu, and with loud cries threw themselves headlong on the invaders. Before any order could be given, or any line formed, the Bedowins were among them with their long swords, and the whole became immediately a scene of inextricable confusion. No quarter was given; an officer was speared through the back while offering submission; the surgeon was dragged from a sick palanquin, and immediately butchered; and the British force, leaving two-thirds of their number dead on the field, were compelled to retreat. Captain Thompson, two officers, and about 150 men, the only survivors, succeeded in reaching Muscat. The Imám himself accompanied the troops, and maintained his ground with great bravery, even when wounded.

This disaster induced the Bombay government to send 3000 men, under Sir Lionel Smith, against these ferocious Bedowins. On proceeding towards the fort, the Arabs, to the amount of about 800 men, besides women who had joined the ranks, met them on a large plain, and rushing on simultaneously with great impetuosity,

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impetuosity, were met at every point by the bayonet; but such was their amazing courage and obstinacy, that they did not give up the contest until nearly the whole of them were slain or desperately wounded. Among the latter was the Sheïkh of the tribe, who, and the few other survivors made prisoners, were taken to Bombay, where they received every attention, and after a confinement of about two years, were sent back to their own country with presents, and with a sum of money to rebuild their town, which had been destroyed.

Fifteen years had now elapsed since the period of their defeat, during which no European had entered their territory. It would therefore appear to have been a bold, not to say a rash, undertaking on the part of Mr. Wellsted, to throw himself amidst such a people. On entering the territory a considerable crowd followed him, till he was met by the young Sheïkh and the principal men of the tribe. He proclaimed himself an Englishman, and his intention to pass a few days with them. On this, he says, the whole camp was in a tumult of acclamation; 'the few old guns they had were fired from the different towers, matchlocks were kept going till sunset, and both old and young, male and female, strove to do their best to entertain me; they pitched my tent, slaughtered sheep, and brought milk by gallons. A reception so truly warm and hospitable not a little surprised me.' All this happened on the very spot where our countrymen had nearly annihilated their tribe, destroyed their fort, and reduced them to their present petty state—but all this was forgotten, and forgiven, owing to the confidence he had shown in throwing himself fearlessly among them.

They were particularly inquisitive as to English customs, especially as to the great liberty which they understood was given to females, and which, our traveller says, he defended, but gained no converts. 'Let them work,' they said, 'and attend to their household affairs. What business have they with reading and writing, which are fit only for Moollahs?' 'The women to the distaff, the men to their swords,' said a venerable old man, with a white beard, repeating a proverb which was echoed by all present. Yet the ladies, it seems, have considerable influence in all their own councils, and at this moment the wife and sister of the old Sheïkh, who was on his pilgrimage to Mecca, actually governed the tribe. These ladies expressed themselves highly delighted that an Englishman had, at last, come among them, but they spoke of Sayyid Said with great contempt. '*We* have fought,' they said, '*you* have made every compensation to those who fell, and *we* should now be friends.'

Mr. Wellsted signified a wish that the young Sheïkh would accompany

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accompany him on a short run into his country. To this he readily consented, and next morning he appeared with about fifty of his followers mounted on camels, and away they scoured at full trot across the neighbouring desert:—

'While sweeping across these solitary and boundless wastes, although destitute of trees, mountains, and water, or any of the features common to softer regions, there is something in their severely simple features, their nakedness, and immensity, which reminds me of the trackless ocean, and impresses the soul with a feeling of sublimity. The aspect of my companion is in perfect keeping with the peculiar attributes of his native land. His sinewy form, and clean and compact limbs, are revealed by the scantiness of his garments: his dark and ruddy countenance is lighted up by the kindling of his resolute eye: his demeanour is honest and frank, and his whole appearance breathes a manly contempt of hardships. "You wished," said the Sheïkh, "to see the country of the Bedowins—*this*," he continued, striking his spear into the firm sand, "*this* is the country of the Bedowins." '—vol. i. p. 71.

The want of wells in many of these desert tracts, and the clouds of sand that fill the air with every gale that blows, are frequently destructive to whole parties. The Bedowin Hamed who accompanied Wellsted told him, that when a young man, his father, himself, and about twenty of their followers, flying from the Wahhábís, were overtaken by a strong gale from the westward, which obliterated every trace of the path, and rendered every object invisible beyond a few yards:—

'In this emergency they crowded together near a tree, where they had no alternative but to remain until there should be a change for the better; but the gale continued unabated for three days. On the third day, (their small stock of water being consumed on the first,) they killed the only two of their camels which could be spared; but the quantity thus obtained was soon exhausted amidst so many; and on the fifth morning two of their females and a young man, Hamed's brother, died. On the sixth day they reached the wells, but their horror may be conceived when they found them filled nearly to the surface with sand. "We knew of no other," said Hamed, "nearer than three days, but, being then too weak to proceed further, we quietly laid ourselves down to die. I recollect nothing after that night, until I found myself lashed on a camel, and my father alongside of me driving it. From him I learnt that we were discovered on the following morning by another party of our own tribe, who had just filled their skins at a well not half a mile from us, and that we were on our way with them to our own hamlet." '—vol. i., pp. 88—90.

There occur, however, amidst these deserts, many extensive and highly fertile oases. Bediah, for instance, is described as being a collection of seven hamlets, situate in as many oases, each containing from two to three hundred houses. The description of these is so novel that we must extract it:—

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'The houses are erected in artificial hollows, which have been excavated to the depth of six or eight feet, and the soil thus removed is left in hillocks around their margins. These were the first oases I had hitherto met with, and my attention was consequently forcibly drawn to them. I found that these, and nearly all the towns in the interior of Omán, owe their fertility to the happy manner in which the inhabitants have availed themselves of a mode of conducting water to them, a mode, as far as I know, peculiar to this country, and at an expense of labour and skill more Chinese than Arabian. The greater part of the face of the country being destitute of running streams on the surface, the Arabs have sought in elevated places for springs or fountains beneath it: by what mode they discover these I know not—it seems confined to a peculiar class of men, who go about the country for the purpose—but I saw several which had been sunk to the depth of forty feet. A channel from this fountain-head is then, with a very slight descent, bored in the direction in which it is to be conveyed, leaving apertures at regular distances, to afford light and air to those who are occasionally sent to keep it clean. In this manner water is frequently conducted from a distance of six or eight miles, and an unlimited supply is thus obtained. These channels are usually about four feet broad and two feet deep, and contain a clear rapid stream. Few of the large towns or oases but had four or five of these rivulets running into them. The isolated spots to which water is thus conveyed possess a soil so fertile, that nearly every grain, fruit, or vegetable, common to India, Arabia, or Persia, is produced almost spontaneously; and the tales of the oases will be no longer regarded as an exaggeration, since a single step conveys the traveller from the glare and sand of the Desert, into a fertile tract, watered by a hundred rills, teeming with the most luxuriant vegetation, and embowered by lofty and stately trees whose umbrageous foliage the fiercest rays of a noontide sun cannot penetrate. The almond, fig, and walnut trees are of an enormous size, and the fruit clusters so thickly on the orange and lime trees, that I do not believe a tenth part can be gathered. Above all, towers the date-palm, adding its shade to the sombre picture.'—vol. i. pp. 92-4.

All, therefore, is not barren on this side of Arabia 'from Dan to Beersheba.' Minná, near the base of the Green Mountains, has the peculiarity of being placed in the midst of open fields. In crossing them, the lofty almond, citron, and orange trees yielded so delicious a fragrance, that exclamations of astonishment and admiration burst forth—'Is this Arabia—this the country we have looked on heretofore as a desert?'—

'Verdant fields of grain and sugar-cane stretching along for miles are before us; streams of water flowing in all directions, intersect our path; and the happy and contented appearance of the peasants, agreeably helps to fill up the smiling picture; the atmosphere was delightfully clear and pure; and, as we trotted joyously along, giving, or returning the salutation of peace or welcome, I could almost fancy we had at last reached

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reached that "Araby the blessed," which I have been accustomed to regard as existing only in the fictions of our poets.'—vol. i. p. 115.

Neswah resembles Minná—with more numerous groves. The Green Mountains did not correspond with the name, but in some of the valleys were a great variety of fruits, pomegranates, citrons, almonds, nutmegs, and walnuts, with coffee-bushes, and vines. The natives make incisions in the pomegranate fruit, receive the juice into large calabashes, and mix it with that of the grape, in making wine, which we suppose must communicate a degree of astringency. The fruit of the black grape is generally converted into raisins. These Green Mountains—the Jebel Akhdar—extend about thirty miles from east to west, and their greatest height is stated to be about six thousand feet.

It will not be necessary to follow our author in his journeys through Omán; the country generally wears the same varied aspect of sandy deserts and fertile oases, with hamlets hid in the midst of date groves, and now and then a fort of defence for the residence of the Sheïkh against any hostile attack from a neighbouring tribe. His object was to reach Der'ayyah, the capital of the Wahhábís, from Neswah, where, however, by some mistake in the non-acceptance of his bills—a mistake similar to that which happened to poor Moorcroft—he was detained so long, that all his servants fell sick, and in a few days he was himself added to the list. Delirium succeeded—'without attendants' (he says) 'my situation was lonely and cheerless, and for five days I was insensible to all that was passing.' Soon after Lieutenant Whitelock arrived, and brought with him the necessary funds, and an engagement entered into with a sheïkh in presence of the Imám, to convoy them, after reaching Bireïmah, with one hundred of his followers, to El Hussa, and thence to Der'ayyah; but neither he nor his party, nor Lieutenant Whitelock, were in a state of health to enable them to proceed.

There is much to admire in the graceful and tranquil demeanour of an Arab of the higher or middle class. Mr. Wellsted experienced this in his illness, and a trifling incident draws from him a warmth of expression which every one who reads must feel and approve:—

'Weary and faint from the fatigue of our day's journey, in order to enjoy the freshness of the evening breeze, I had spread my carpet beneath a tree. An Arab passing by, paused to gaze upon me, and touched by my condition and the melancholy which was depicted in my countenance, he proffered the salutation of peace, pointed to the crystal stream which, sparkling, held its course at my feet, and said, "Look, friend; for running water maketh the heart glad." With his hands folded over his breast, that mute but most graceful of Eastern salutations,

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he bowed and passed on. I was in a situation to estimate sympathy; and so much of that feeling was exhibited in the manner of this son of the Desert, that I have never since recurred to the incident, trifling as it is, without emotion.'—vol. i. p. 172.

He afterwards made an attempt to reach Der'ayyah, by proceeding to the town of Obri, and produced the Imám's letter to the Sheïkh, who read it, but took his leave, and said nothing. A verbal message, however, was soon after brought to him, to inform him that he should lose no time in leaving the town, as it was filled with nearly two thousand Wahhábís. These people crowded round him and his party: their situation was precarious; the old guide had the camels ready, and they mounted; hisses and various other noises followed them; a few stones were thrown at them; but having reached the outskirts of the town, they were allowed to proceed without further molestation; indeed, they were told, that 'to enter Obri, a man must either go armed to the teeth, or as a beggar with a cloth round his waist.' Thus ended our author's hopes of reaching Der'ayyah.

Obri is the only place where Mr. Wellsted met with anything like insult, and the presence of the fanatical Wahhábís might account for it. Everywhere else he appears to have experienced nothing but kindness, whether from the Arabs of the towns on the coast, or those in the oases, or the Bedowins of the Desert. The whole Arab population is divided into tribes, and each separate community has its Sheïkh, under whom is chiefly carried on the patriarchal government. This is peculiarly the case with regard to the pure indigenous inhabitants of Arabia, dwelling in the deserts, who retain all the personal features, manners, and characteristics of the true sons of Ismael. In the towns, the arrangement is, of course, more complex; they have their Governors, Moollahs, Agas, &c. The whole population of Omán, including all classes, women and children, Mr. Wellsted supposes may amount to about 300,000: of this Muscat, and the other sea-port towns, with those in the oases, may, perhaps, contain 200,000, and the remainder consist of the Bedowins of the Desert, and others occupying tents and small temporary hovels.

Of the country people, he says, their wealth consists chiefly in date groves, every tree of which is registered and appropriated, a few sheep, kids, asses, and camels; the food of those near the sea is mostly confined to dates and fish, and inland, to dates and milk, with cakes of bread from corn, which the females grind in the ancient mill, known in Scotland by the name of *quern*; they also spin and weave the wool for their clothing—'the women to the distaff, the men to their swords,' as the old Sheïkh said.

In their persons the females are generally tall and well made; the

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the Bedowins of the Desert, swarthy, but the expression of their countenance is said to be very pleasing; 'their eyes being large, vivacious, and sparkling; their nose somewhat aquiline; the mouth regular; and the teeth of a pearly whiteness; of a gay and sprightly disposition, the smile of mirth constantly plays about their features; and any witty allusion in their conversation with each other, or ludicrous incident however trifling, is sufficient to excite their laughter.' Mr. Wellsted always speaks in praise of the Arab females. Calling in at a hut of loose stones, thatched with reeds, he says—

'I had scarcely seated myself on a skin, spread on the ground, when some young and very pretty females entered, bringing with them a huge bowl of milk. Out of compliment to them I took a long draught; but no, this was insufficient. Was it bad?—try again—and again! In vain I extolled it to the skies; I was not permitted to desist until I had swilled almost to suffocation, and sworn by the beard of the Prophet that I could and would take no more. They were then delighted, and we became such excellent friends that, with the assistance of a few presents and some fair speeches, we parted with expressions of mutual regret.'—vol. ii. pp. 47, 48.

Yet with all their good-humoured vivacity, the real drudgery of labour falls to their share, for when not employed on household affairs they are either tending their vines, carrying water on their heads from the fountain, or engaged in other occupations connected with husbandry. This constant exercise in the open air gives an elasticity and freedom to their gait, which with their lively disposition, renders them, in our traveller's opinion, 'a far more interesting subject for consideration than their worthy helpmates.' These, indeed, may be considered generally as an indolent race: the whole male population of a village may frequently be seen all day long lounging under their vines, their fig, and their date trees, reciting verses from the Koran, or slumbering beneath their shadowy branches, which at once afford them food and shelter. The exploits of their ancestors, in their predatory excursions, are always listened to with delight, and the qualities of a favourite horse or camel are dwelt upon with equal enthusiasm.

Sometimes they are amused in listening to the recitals of a professed story-teller; and our readers may remember how well Burckhardt succeeded when he assumed this character, and gave his audience a sketch of the adventures of Robinson Crusoe. On one occasion our author was entertained in the dwelling of a Sheïkh, whose *conteur* favoured him with the manuscript from which the story was taken, and he found it, with little variation, to be that of our old friend Sinbad the Sailor. 'I little thought,' says Wellsted, 'that it would ever be my lot to listen to the

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the original in a spot so congenial and so remote.' Smoking tobacco and sipping coffee without milk or sugar, consume a considerable portion of their time. A party of Bedowins, near Mount Sinaï, were engaged in a discussion respecting Lady Hester Stanhope's oddity of manners, and some expressed their belief that she could not be of sound mind. An old Sheïkh, after all had given their opinions, said very gravely, 'She *is mad*; she puts sugar into her coffee.' This was decisive of the question. The traveller adds:—

'The character of the Bedowin presents some singular contradictions. With a soul capable of the greatest exertions, he is naturally indolent. He will remain within his encampment for weeks, eating, drinking coffee, and smoking his nargyl, and then mount his camel, and away off to the Desert, on a journey of two or three hundred miles: whatever there may be his fatigues or privations, not a murmur escapes his lips.' —vol. i. p. 159.

Mr. Wellsted speaks strongly in favour of the unaffected kindness of the Bedowins, after frequently living and sleeping in their huts and tents. 'On all occasions I was received with kindness, and often with a degree of hospitality above, rather than below, the means of those who were called upon to exercise it.' He speaks highly of their honesty, and says they have a thorough detestation of petty theft; that he never lost the most trifling article of his baggage, but has frequently known them seek for any thing missing with far more anxiety than he felt himself about it; and he mentions instances where, having left things behind, they ran after him to restore them. There are, however, constant feuds among themselves, and in their forays they carry off from each other all that they can lay hands upon.

But we must not follow our traveller further; he, like Burckhardt, when he gets among the Bedowins, knows not where to stop. They are certainly an interesting people, who have changed little since the days of the Patriarchs, and Mr. Wellsted's details about them will gratify readers of many different classes.

ART. III.—1. *Texas.* By Mrs. Mary Austin Hólley. pp. 410. Lexington, Kentucky. 1836.

2. *Trip to the West and Texas, with a Brief Sketch of the Texian War.* By A. A. Parker, Esq. pp. 380. Concord, N. H. 1836.

3. *A Letter to the Hon. Henry Clay on the Annexation of Texas to the United States.* By William E. Channing, D.D. Boston. 1837.

OUR own internal difficulties and dangers have so naturally, but so completely, absorbed the public attention, that it has required

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required nothing less than an actual rebellion in Canada and the imminent risk of a collision with the United States, to awaken our minds to any question of foreign policy, or indeed to any subject which does not affect us immediately and internally. The Spanish contest affords no exception to this general apathy. The interest which it created—or may still create—is not only in *degree* wholly disproportioned to the great principles which are involved in that contest, but the *nature* of the interest is altogether different from that which in other and better times it could not have failed to excite. It is neither the question of the Spanish succession—nor the independence of the Basque provinces—nor the extraordinary and perilous precedents which our infraction of international law might establish—nor the obvious danger that such precedents might be eventually turned against ourselves in other quarters, that create any public interest. It has been regarded almost as a *domestic* concern: the proceedings of the *Member for Westminster* and the fate of the *British Legion* have been the real objects of anxiety, and that, too, with reference only to their ultimate effects on our own internal parties and affairs.

But the recent outbreak in Canada, and the anxiety which was and is still felt as to the line which the United States might, or may ultimately, take in that matter, have, we hope, so far awakened the British public, that they may be inclined to pay some degree of attention to questions which, although hitherto disregarded, are in principle, and may soon be in practice, vitally important to the colonial interests, the foreign relations, and even the internal prosperity of this country. If the cabinet at Washington had been so short-sighted or so reckless of the laws and rights of nations as to have imitated in Canada Lord Palmerston's* proceedings with regard to Holland and, above all, in Spain—if they had permitted their officers and their citizens to form an army of 10,000 men, and had by their naval power landed and maintained them on a neutral territory, and when necessary protected and supported their military operations with a national naval force, it is clear that war would have been kindled between the two hemispheres, and that Canada, if not wholly lost, could have been preserved only at the expense of thousands of lives and millions of money. In vain would Lord Palmerston plead that the helping an established government against rebels could afford no precedent for helping rebels against an established government. That excuse would avail but little—it is false in fact and still falser in law. The

* When we say *Lord Palmerston*, we do not mean, of course, to disculpate his colleagues, though we name him as being, in the first and most prominent degree, responsible for a policy which England will one day rue, as certainly as that there is justice in heaven or retribution on earth.

Spanish

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Spanish question of 1837, like the Spanish question of 1701, is one of disputed succession. In 1701 our Whigs took the side of a Don Carlos, who finally failed. In 1837 they take part against another Don Carlos, who may eventually succeed; but failure or success does not affect the principle of intervention while the matter is in dispute: such statesmen as now hold the British helm know little and care less about Grotius or Puffendorf, but they might at least remember the old Jacobite verses—

> 'Long live our sovereign Lord—the Faith's defender,
> Long live the *King!* and down with the *Pretender:*
> But which *Pretender* is and which is *King*—
> God bless my soul! that's quite another thing!'

We are not now speaking of a state of actual war existing between two nations, in which either may have a right to avail itself of the assistance of rebels or Pretenders—but we view with the greatest alarm such aggressions as Lord Palmerston has made in time of professed peace against Holland and Spain,—a precedent the effect of which we may, by and by, feel in Ireland, and which we might have felt, which for a season every one feared that we should have felt, and which many still fear that we may be made to feel, in Canada.

Any distinction which Lord Palmerston could pretend to draw from considering the *Spanish* Carlists as *rebels* is not only, as we have said, utterly untenable in law, but it is, in his mouth, a shameless inconsistency; for the intervention against *Holland* was on exactly the *contrary* principle, being in favour of insurgents, and against—not merely an ally, but—an ally to whom we had *guaranteed* (*assuré* is, we believe, the expression of the treaties) the possession of the very territory against the very power whom we assisted in conquering it.

But if amongst the legists of ancient Europe Lord Palmerston's distinction would meet little countenance, it would certainly have no effect at all with the United States who had established themselves by so recent an insurrection, supported by the intervention—justifiable in law however fatal in policy—on the part of old France in favour of *insurgents*. It is true that in the recent crisis in Canada the United States could not *under the laws of nations* have imitated the British precedent of 1701, or the French one of 1775, without an open declaration of hostility of nation against nation, to be justified by such reasons or pretences as they might assign; but under the *Palmerston precedent* that Republic might have done us as much (if not more) mischief, without so much risk to herself, and probably—considering the British ministry with whom she has to deal—without any risk at all. Lord Palmerston was obliged to pass a bill to suspend the law both of England

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England and of nations, and to enable this great country to interfere shabbily and *piratically* where she had no pretence for open intervention. Mr. Van Buren would not have had even that preliminary difficulty in his way; the law in his country was in a state that would have allowed of this surreptitious interference, and the temper of his countrymen on the frontier would have spared him all the trouble which the British government had to raise General Evans's legion. Fortunately—we believe for the interests of his own country as well as ours—Mr. Van Buren has not condescended to avail himself of this legal excuse, or this popular delusion. He, indeed, like Lord Palmerston, introduced a bill to alter the existing law; but it was in the precise contrary direction of the British legislator's—and the Van Buren law prohibits the very subterfuge which the Palmerston law created.* We acknowledge, with shame on our parts, but with sentiments of respectful approbation towards the American government, a course of conduct which, though in strict accordance with international law, is so very unlike the examples which this country has lately exhibited to astonished and disgusted Europe.

Our readers will see presently that these observations on the affairs of Holland, Spain, and Canada, are in principle intimately connected with the subject of the Texas controversy which we are about to introduce to their notice; and they afford a reasonable hope, nay, an expectation, that the policy of the American cabinet may be, in the important question which has grown up on their southern frontier, as wise, as just, and as deserving the approbation of mankind, as that which seems to have been so honourably attempted on their northern frontier.

The case is this.

Texas is a province of Mexico, which reaches from the *Sabine* River on the east to the *Rio de las Nueches* on the west, and from the Red River, one of the confluents of the Mississippi, on the north, to the Gulf of Mexico on the south, and is stated, by some, to be *four times the size* of Virginia, and, by others, *nine times* that of Kentucky (Channing, p. 25); but this must be an exaggeration. It is watered by a number of considerable rivers—navigable from 50 to 250 miles inland—which flow from an extensive plateau of elevated prairie, through a wide alluvial belt, down to the Gulf, along which its sea-board extends above 300 miles. The land-jobbers by whom the country is at present held as a matter of speculation, have published the most seductive

* The account of the passing of this bill has not yet reached us, and we are sorry to observe that it had lingered in Congress; we look to its ultimate success with considerable anxiety, not so much on account of Canada, which is, we trust, safe, as on that of the character of the United States, and their government.

accounts

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accounts both of the soil and climate, and though these are probably somewhat exaggerated, it is undoubtedly a region of great capability, but it is almost in a state of nature, having been, till the very recent immigration from the United States (which has created the present question), very thinly inhabited by small and scattered tribes, whether Indians or Mexicans, which possessed neither the means nor the desire of cultivating the natural advantages of the soil. Our readers will see at once that a country thus inclosed on two sides by the United States, or by territories over which these States are gradually extending themselves—so inadequately peopled and yet affording such flattering prospects both to agricultural and commercial industry—our readers, we say, will see that a country so situated must be an object of great interest, not to say *temptation*, to even less enterprising neighbours than the back settlers of Kentucky or Tennessee.

Political circumstances came in aid of these natural and local affinities. It is unnecessary to bewilder our readers with the details of the countless insurrections and revolutions which have desolated, and still continue to desolate, Mexico from 1810 even to the present hour. For our present purpose it will be enough to say that in the year 1819—before the old Spanish authority had been entirely overthrown in Mexico—one Mr. Moses Austin, a man of enterprising character, after having failed in several minor speculations in the Old States, and lastly in Missouri, turned his thoughts to the colonization of the fruitful wilderness of Texas, and began a negociation with the authorities at Mexico for the grant of a suitable location. This Moses, in January, 1821, obtained permission for the introduction and settlement of 300 families, on certain conditions, rational in themselves and entirely satisfactory to all parties. But before any precise location had been fixed, the Patriarch died, leaving to his son, Stephen Fuller Austin, called successively *Colonel* and *General* Austin, the duty of accomplishing his design. The General set about his work with alacrity and, it seems, good sense. He examined the whole province, and finally fixed his colony on the banks of the Brazos, the greatest and most central river of the region. This colony appears, from the maps annexed to two of the works named at the head of this article, to be nearly a parallelogram of about 150 miles eastward and westward, and extending from the Gulf of Mexico inland about 200 miles. Mr. Austin seems to have been —at first, at least—a *bonâ fide* colonist: he proceeded to fulfil the conditions of his contract by importing and settling some hundred families of immigrants from the United States, and has successively founded on the banks of the Brazos, first, *San Felipe de Austen*, the destined capital of his colony, about the centre of the

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the grant, and subsequently *Washington*, about fifty miles higher up, and *Brazoria* lower down, about fifteen or twenty miles from the sea. These two last foundations seem to have failed.

While this colony was advancing, Mexico threw off the Spanish yoke altogether, and after two or three revolutions assumed, in 1824, the form of a federal republic, after the fashion of the United States, of which Texas, with the province of Coahuila (adjoining it on the south-east), formed one of the *States*. In the constitutional act there is a provision (on which the Texans now rely) that the union with Coahuila was only *provisional*, until Texas should acquire internal population and strength to become a separate state; but, even admitting the fact, the meaning was not a separate and *independent* state, (which the Texans now affect to be,) but a distinct portion of the Mexican federation.

It is here proper to pause for a moment to contemplate what the condition of the Texas was when Austin began his colonization. In truth, it was an almost unpeopled wilderness: on the western frontier and about the neighbourhood of the town of St. Antonio de Bexar, the ancient seat of the provincial government, situated on one of the tributary streams of the boundary river *de las Nueches*, there existed a small Mexican population, not amounting in the whole to above 5000 souls; the rest of the country was visited rather than inhabited by several tribes of Indians.

'The Carancahuas inhabited, formerly, the whole of the sea coast. They were reputed to be cannibals and very ferocious. Hence, probably, the Spaniards were little disposed to invade them, or to visit the country without a strong military escort. Hence also, it is less surprising that they acquired little knowledge of the coast; and thus they supplied the place of knowledge with tales of fictitious horrors.

'The first settlers in this part of the country, under Gen. Austin, arrived in considerable force and were well armed. The Carancahuas were sufficiently peaceable as long as the settlers remained in a body, annoying them only by begging, and stealing whatever fell in their way. But when the settlers separated to explore the country for the purpose of selecting an eligible location, four of the number who were left with the provisions and baggage to protect them, were killed by these Indians, and their goods carried off.

'Thus hostilities commenced. *The colonists, at this period, were not strong enough* to inflict the chastisement the Indians had provoked, being unaided by a single soldier from the government; and were compelled to submit to the insolence they could not resent. These vexations were endured for some years, when, at last, the number of the colonists being much increased, *they mustered a party of sixty riflemen*, to punish them for some murders they had committed. General Austin commanded this expedition in person. The result was the slaughter of half the tribe. The remainder took refuge in the church of the Mexican Mission of La Bahia. The priests were ordered to turn them out, on pain

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pain of having the sanctuary violated in case of refusal. But after much entreaty by the priests and alcade, a truce was granted them, on condition, that they should never again cross the La Baca river, the western boundary of the colony. The alcade and priests became surety for their good behaviour. This engagement they have faithfully kept.

'Recently, the Mexicans have commenced killing the remnant of this tribe, for some robberies and murders committed by them. The survivors have crossed the La Baca, to the number of forty or fifty, to beg the protection of the colonists, offering to perform any kind of service or labour, in return for protection and food. The people on that frontier have, accordingly, distributed them amongst their families as servants.

'Thus the shores and bays of this beautiful region, in which these fierce children of the woods once roamed, free as the lion of the desert, have been transferred to other hands. From being the rightful proprietors of the domain, they have become the hewers of wood and drawers of water to their invaders.

'There are remnants of several other tribes of Indians, the Waccos, Tawackannies, Caddos, Tankaways, Lepans, &c., which still exist in Texas, but of too little note to merit particular notice. They are either too few in number to be formidable, or so far civilized as to provide well for themselves without disturbing others.

'The Cushatees are most worthy of notice. *They have their villages on the Trinity River; their houses are well constructed, and their fields well cultivated. They have good stocks of horses and cattle, use culinary utensils, and are hospitable to strangers.* In Autumn, when their crops are laid by, they range the country in small parties, to procure a winter's stock of venison and bear's meat, leaving their villages often without a single individual to protect them. They are few in number and quite friendly. When among the settlements, *they conduct themselves with great propriety*, and know the difference between a wild hog and one that has a mark on his ear.'—*Texas*, pp. 158—161.

This, we beg our readers to observe, is extracted from the work which bears in its title page the name of Mrs. Mary *Austin* Holley, and is evidently intended to give the most favourable prospect of the new country, and to induce the immigration of settlers from the United States. We must say, that colonization to be purchased by such injustice and cruelty as is practised on these poor Indians, instead of being an honour to the American name, is an indelible disgrace; and we much wonder that in the eloquent exposure which Dr. Channing has made of the whole proceedings of his countrymen on Texas, this subject has not received his marked disapprobation;—particularly when we have evidence (both here and from other sources), that by judicious management and kindness, these poor people might be eventually civilized and restored to the rank and rights of human creatures:—but the pursuit of this question would carry us too far from our present object, and we must return to the progress of the colonization. Our

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Our readers need not be told what a spirit of speculation, particularly in land, exists in the United States, and they will not wonder that the tidings of Austin's grant excited amongst his roving countrymen a strong appetite for similar slices of the Texan territory. In the confusion and weakness in which the struggles of various factions involved the Mexican federation, it is not surprising that the occasional inroads and temporary settlements of the predatory intruders on so distant and unprofitable a province, should meet little resistance or even notice: but the usurpation soon assumed a more systematic and formidable appearance.

In the distraction and impotence of the general government, the provincial legislature of Coahuila and Texas assumed, contrary (as it is stated) to the general constitution of the federation, the sovereign power of granting away the unoccupied lands—that is to say, nearly the whole province; and they proceeded to exercise this usurped power in the most improvident manner, and as it seems, for the most illegal and fraudulent purposes. We find by the maps before mentioned, that nearly the whole surface of the country is covered by about seventeen or eighteen grants—larger than so many English counties—made to *individuals*. The local works before us afford no clue to the means by which these enormous grants were obtained; but the subsequent proceedings of the general government against the members of the provincial legislature tend to confirm the *à priori* natural opinion, that it was a *corrupt personal traffic*. One case only has been brought to light, and this disclosure has probably happened because the transaction was not with an individual, but with a *company*—but more of this presently.

But these grants, originally unjustifiable, have been since practically abused, to a degree that would have invalidated them, even had their origin been legitimate. They were in form, at least, similar to that which the Mexican government had made to Moses Austin—that is, they were not of the absolute property, but of rights to be confirmed by occupancy—and not granted to individual settlers in detail, but were conceded to an undertaker or manager, technically called the *Empresario*—on condition that he should introduce—within a stated time, and to a stipulated number—an immigrant population, adequate to the gradual colonization of the whole; to which was added, of course, the general proviso of obedience and allegiance to the constitution of Mexico.

It turns out that all these Empresarios—still so called, though they seem to have merged the duties of that character in the assumed rights of absolute possessors—are Americans of the United States, with two exceptions—one an Italian, the other a native

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native of Yucatan—who took an active part in the revolutionary struggles in Mexico, and being outlawed by the general government, found refuge and a principality in Texas. But it does not appear that any one single Texan, nor even any native of the adjoining provinces, has had any share in this wholesale and retail partition of their country. Nor have we the slightest clue as to the means by which 'Cameron'—'Beale'—'McMullin'—'McGloyne'—

'And twenty more such names and men as these'

obtained possessions larger than Yorkshire or Wales. But by whatever mysterious intrigues these matters were arranged, it soon became notorious that the whole speculation—subsequent to Austin's first grant—was founded in fraud, and that an extensive system of land-jobbing was the immediate object of the parties.

'It became a matter of greedy speculation; and it is a notorious fact, that many of the *empresarios*, forgetting the contingent character of their own rights to the soil, and the conditions upon which their future colonists were to receive allotments of land, proceeded at once to make out scrip, which has been sold in the United States to an incalculable amount. In addition to this, we are informed on the best authority, that the manufacture of land-titles, having no foundation whatever, has been carried on as a regular business. ..... It is not hazarding too much to say that millions have been expended in the Southern and South-western States. Texas, indeed, has been regarded as a prey for land-speculators within its own borders and in the United States. To show the scale on which this kind of plunder has been carried on, it may be stated, that the legislature of Coahuila and Texas, *in open violation of the laws of Mexico*, were induced by a company of land-speculators, never distinctly known, to grant them, in consideration of twenty thousand dollars [about 4000*l.*], the extent of *four hundred square leagues* of the public land. This transaction was disavowed, and the grant annulled, by the Mexican government, and led to the dispersion of the local legislature and the imprisonment of the governor, Viesca. And yet this unauthorized, and perhaps corrupt grant of public lands, formed the basis of new speculation and frauds. A new scrip was formed; and, according to the best information we have been able to obtain, four hundred leagues became, in the hands of speculators, as many thousands.'—*Channing*, pp. 11, 12.

The proceedings of the general government of Mexico to defeat these enormous frauds afforded the first excuse for the revolt of the Texan colonists; but as yet they thought it necessary to proceed with some caution and semblance of legality. Their first step was an attempt to get rid of the tie—slight as it was—which united them to Mexico by their union with Coahuila; and General Austin proceeded to the Congress of the Mexican Republic, to advocate the separation of these provinces, and the admission of Texas to the Mexican Congress as a separate State.

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State. This demand—the population of Texas being at the time of the insurrection no more than 20,000, of all races and colours, including women and children (Channing, p. 8) —he found it impossible to obtain; and he wrote home to his friends to inform them that he had failed in the negociation, and that Texas must therefore take the matter into its own hands and erect itself into a separate government. One of these letters came to the knowledge of the general government, and Austin, who was then on his way homeward, was arrested on a charge of high treason for this attempt to dismember the Republic. This occurred in October, 1834. While all these things were in progress, Mexico itself was suffering under a series of revolutions and a succession of ephemeral governments, and the states of Texas and Coahuila, in addition to the general disorganization, were distracted by local dissensions, revolts, and invasions. In short, the whole region was in a state of complicated confusion and misery. In 1834 General Don Lopez de Santa Anna, who had for some years played a distinguished part in these disturbances, taking all sides in turns, but who latterly had been the head of the liberal party, was raised to the presidency of the Mexican Federation; but was no sooner installed than he, naturally enough, repudiated the disorganizing principles by which he had risen to power, and endeavoured to form a strong and *central* government at the expense of the Federative system. This change from Federalism to *Centralism*, as Santa Anna's system is now called, though effected under the sanction of a National Congress, was opposed by various revolts of the Federalists, who formed two or three different armies—all of which, however, were defeated by a succession of victories obtained by Santa Anna over all his rivals. But the remote province of Coahuila and Texas still held out, and it was about this time that the provincial legislature made the extravagant sale of the 400 square leagues of land, which not only alarmed the general government, but had dissatisfied the colonists themselves—(Texas, p. 331)—who, we suppose, did not like to see *a company* brought into competition with their individual projects. A government force was therefore despatched against Coahuila, which dissolved the legislature, and forced the governor to take refuge in Texas, which had now thrown off all obedience to the central authority. In August or September, 1835, Austin, who, after having been for a time a close prisoner, had been latterly let out on bond to keep within the limits of the city of Mexico, was unconditionally released by Santa Anna, and sent with a conciliatory message to the Texan insurgents; but, as might have been foreseen, this step only encouraged the revolt, which

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which now assumed a general, and began to affect a national character. 'Every voice' of the Convention which Austin had assembled to hear Santa Anna's overtures 'was raised without hesitation *for war!*' Austin himself was declared commander-in-chief, and on the 23rd September, 1835, he set out from his own town of San Felipe de Austen to attack the seat of the state government, Bexar, at the head of the '*Texan army*,' amounting to 700 men. 'The first blow in the cause of liberty was struck on the 28th September, at Gonzales—thence called the *Lexington* of Texas.' (Texas, p. 335.) It is not unimportant to observe that this formal declaration of independence and this hostile movement took place a few days before the final acceptation and promulgation of the new constitution called *Centralism*, against which the insurrection professed to be mainly directed. The general government had previously sent an '*army*' of 400 men (armies here would be called battalions in Europe) to garrison the two fortified posts of Bexar and Goliad, and to maintain order on the western border. The centre and east were quite beyond any Mexican control. This force was easily defeated—Goliad was taken in October by a Texan force of fifty-two men, Bexar surrendered in December, and the Mexicans were driven out of Texas altogether.

These events obliged Santa Anna to bestir himself, and in February, 1836, he set out in person at the head of an army of 1000 men, to restore the Mexican authorities. On the 6th March he retook Bexar by assault, and the Texan garrison under Colonel Travers were all put to the sword, and amongst them the celebrated *Colonel Crockett*, the Kentucky adventurer, whom, we dare say, most of our readers have hitherto believed to be a fabulous personage.

After the capture of Bexar, Santa Anna advanced with a force of about 1500 men and one twelve-pounder to the river San Jacinto, on the western side of Austin's Colony, where he met the Texan army under General Houston—(Austin himself had gone into the United States to endeavour to raise men and money). Here on the 21st April was fought a decisive battle, in which Santa Anna was defeated and taken, and his army utterly destroyed. Santa Anna had run a long career of victory, and was a kind of Mexican Napoleon, but he found the Anglo-Americans made of much sterner stuff than those over whom he had been used to triumph. When we recollect, however, that he had, even by his enemy's account, only 1500 men and one gun, we should not feel much surprise that so small a body should be defeated by an *army*, which General Houston describes in the following manner:—

'At

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'At half-past three o'clock in the evening I ordered the officers of the Texan Army to parade their respective commands. . . . Our troops paraded with alacrity and spirit, and were anxious for the contest. . . . Our situation afforded me an opportunity of making the arrangements preparatory to the attack, without exposing our designs to the enemy. The 1*st Regiment*, commanded by Colonel Burleson, was assigned the centre. The 2*nd Regiment*, under the command of Colonel Sherman, formed the left wing of the Army. The *Artillery*, under the special command of Colonel George W. Herkley, inspector-general, was placed on the right of the 1st regiment; and *four companies of Infantry*, under the command of Lieutenant-Colonel Henry Millard, sustained the Artillery upon the right. *Our Cavalry*, commanded by Colonel Mirabau B. Lamar, placed on our extreme right, completed our line.'—*Texas*, pp. 358-9.

But, when stripped of General Houston's strategic verbiage, it turns out that the '*Artillery*' was two six-pounders—the '*Cavalry*' 61 men only, and the entire of the Infantry of all the enumerated companies and regiments only 700—all ranks included. Though we smile at the grandiloquence of the General, we cannot but admire the gallantry of the handful of Anglo-American adventurers who composed the Texan Army. This victory settled the question between Mexico and Texas—for two or three years at least; and the latter now boldly inscribes on her victorious banner the word 'INDEPENDENCE;' but that banner displays also the very significant bearings of 'an indefinite number of *stripes*, with, in the upper canton, a *single star*'—that single star evidently aspiring to be united with the *constellation* in the flag of the United States.*

In fact, the entire army which won the battle of the San Jacinto, and the whole people which call themselves Texans, are neither more nor less than Anglo-American adventurers, of whom a very few—namely, the original settlers on Austin's Colony—appear to us to have any even colourable settlement in Texas, or any pretence whatsoever to the name of Texans—much less any right to erect the country, which they have illegally occupied, into an independent state. This, which perhaps is already clear enough from the foregoing narrative, will be rendered unquestionable by two or three details. In the first place stands the fact that almost every one of the occupants of the territory of Texas are *Anglo-Americans*—there is not one native of the soil amongst them. In the next place, we cannot find in the lists of officers of the government, or of the army, nor in the ranks of the army,

* In the *American Almanack* for this year, the independent state of Texas is honoured with the same degree of detailed notice and in the same form as the States of the Union—in fact, on the face of this publication it looks, at first sight, as if the annexation had been already perpetrated.

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a single name which is not clearly Anglo-American. Thirdly, when Colonel Travers was besieged in Bexar, he issued a proclamation :—

'To the People in Texas, and *all Americans in the World.*

'*Fellow-citizens and compatriots!*—I am besieged by a thousand or more of the Mexicans under Santa Anna. . . . I have answered the summons with a cannon shot, and our flag still waves proudly from the walls. *I shall never surrender or retreat:* then I call on you, in the name of liberty, of patriotism, and of everything dear to the *American* character, to come to our aid with all dispatch.'—*Texas*, p. 349.

And, finally, it appears that the army was composed not merely of regular settlers, but in a great proportion of volunteers from various parts of the United States, who came *ad hoc* to seek their fortunes in the scramble—not for *acres* but—for *square leagues.* Of the mode in which these bands were collected, and the system in which they proceeded, we shall give some account from the admission of the Texan advocates themselves :—

'We have mentioned that a large number of volunteers from the United States had gone to Texas, to aid *the people* in their struggle for independence. Three companies, numbering more than five hundred men, went from New Orleans. Cincinnati, Natchez, and Mobile, each furnished a company. And travellers state that they met small parties of volunteers, continually on the road, hurrying on to assist the Texans. Many of these arrived in time to be of much service in the last campaign; but one company, from the city of New York, owing to the misconduct of a portion of them, were detained on the way; and, probably, have not arrived in Texas. This party was Colonel Stanley's regiment of volunteers, amounting to about two hundred men. They started from New-York in the brig Madawaska, about the middle of November. After ten days' sail, they found themselves among the Bahama banks and islands. The captain of the brig, never having sailed the route before, became bewildered among the islands. At length he made a harbour at the island of *Eleuthera*, and sent a boat on shore containing seventeen men. On the island they found the inhabitants to consist principally of blacks. Having indulged themselves pretty freely in spirits, and finding the inhabitants rather weak and ignorant, they commenced hostilities upon their effects, such as fowls, pigs, Indian meal, &c., and so terrified the people, that they would do whatever they required. They commanded them with loaded pistols at their heads, and threatened them with instant death if they disobeyed. This *indiscreet conduct* of course occasioned an excited feeling, on being made known at the English naval station at Nassau, and two gun-ships were immediately sent in pursuit, with strict orders to board and put all to death, if any resistance was made. After cruising about a week, one of the ships came up with the Madawaska, and made them all prisoners, on a charge of piracy. They were carried into the port of Nassau in New Providence, and there put in prison. In the course of a week the matter was fully investigated, which resulted in the discharge of all but Colonel

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Colonel Stanley and ten others, who were detained to await their trial for felony. The result of this trial is not now known; but, if found guilty, the punishment by the English laws is known to be severe.'—*Trip to the West. Appendix*, pp. 347-349.

A bolder and more fatal piracy was attempted by a person who is called General Mexia:—

'On the sixth day of November, 1835, one hundred and thirty men, chiefly Americans, embarked at New Orleans on board the schooner Mary Jane for Texas. It was understood that this vessel had been chartered by a committee, to convey immigrants to that country,'—p. 345;

but instead of sailing for Texas, they crossed the Gulf, and, landing at the mouth of the harbour of Tampico, seized without opposition, a fort, which might have defended the entrance; but on advancing with the intention of taking and plundering the town, they were repulsed, and twenty-eight of the assailants made prisoners, who were subsequently tried by martial law, and executed, as, what they undoubtedly were—pirates. This execution has been made the subject of the most indignant and inflammatory complaints of the Texan party in America. Not being able to deny the facts of the case, nor to impugn the strict legality of the execution, it has been endeavoured to excite compassion for the individual sufferers, by pretending that they were trepanned into the attack on Tampico, and that they were taken prisoners when endeavouring to escape from the enterprise into which they had been inveigled. The day before their execution, they made, or are said to have made, a protest against their trial, in which, of course, they state their own case in the most favourable manner. Of this statement, which is to be found in Mrs. Austin's work *in extenso* (p. 345), the following summary is given by Mr. Parker:—

'General Mexia and his staff were on board this vessel: but no intimation was given to the passengers that the vessel had any other destination than the Texas, until they arrived off the port of Tampico. They were then told, by Captain Hawkins, one of General Mexia's aids, that the object was to capture Tampico, and the passengers were urged to join the general's standard. About fifty only, most of whom were French and Creoles of New Orleans, were induced to join his standard. A steam-boat took the vessel in tow, but, in attempting to run into port in the night, they both struck the north breakers. In this critical situation, efforts were made to land the passengers, which at much risk was at length effected, during the latter part of the night and early in the morning. The fort, at the mouth of the harbour, surrendered without an attack. Arms and ammunition were then tendered to the party. *Some took them from curiosity*, some from necessity, and *others on compulsion*.'—[What difference they saw between *necessity* and *compulsion* is not stated.]—'Most of the Americans, on account of the deception practised upon them, in landing at Tampico instead of Texas, were determined not to fight, but to surrender themselves prisoners the first

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opportunity. The next day, the party, to the number of one hundred and eighty, marched to attack the town; but meeting with a warmer reception than they expected, they retreated to the fort. Here they found about thirty missing—all but two or three having deserted on the retreat. The general, deeming it advisable to leave the place, embarked with his men on board the schooner Halcyon, bound to Brazoria, in Texas. The deserters were taken prisoners the next day by a company of horse, and imprisoned. After remaining in prison about a month, they were tried by a court-martial: and although all these facts appeared at the trial, they were all condemned to be shot!'—pp. 345-6.

To this Mr. Parker adds:—

'The sentence of death was promulgated to these hapless victims of treachery on the afternoon of Saturday, and at sunrise the succeeding Monday, which was the fourteenth day of December, they were all brought out of prison and shot! Twenty-eight men, many of them mere youths, in a distant land, far away from friends, at a few hours' notice, butchered in cold blood! Humanity recoils at the perpetration of such barbarous deeds as this. Such summary proceedings, dictated by savage vengeance, cannot, on any ground, be either justified or excused.'—*Trip to the West*, pp. 346, 347.

Our readers will recognise in Mr. Parker's tirade, the spirit which dictated the false and furious complaints of the recent capture of the *Caroline*, at Navy Island. If these poor people were victims of treachery, it was the treachery of their own leaders—and if people will take arms and ammunition, and proceed to rob and plunder unoffending parties, they must suffer the penalty—nor can there be any reasonable complaint against the proceedings as too summary:—they might, according to the law of nations, have been executed on the spot—instead of which they had a month to prepare for trial—a trial, against the fairness of which no imputation is raised—and the interval between sentence and execution (if execution were to follow at all) was not unusually short. Can there be any doubt of the original design for which a steam-boat had been *previously* despatched?—can any one believe that such adventurers take arms from *curiosity*? and while we lament the fate of the offenders, we must not forget the thousands of innocent persons of all sexes and ages who would probably have perished if they had succeeded in storming the town.

We have dwelt on this case, not only because it shows the true character of the system by which the Texas has been severed from Mexico, but because it affords a case so exactly similar in its principles to the attacks still threatened upon our Canadian frontier by Generals Rensellair and Sutherland, and their followers, whose *curiosity* has induced them not only to accept arms offered to them, but to help themselves from depôts belonging to the Government of Washington.

But although the victory of San Jacinto has enabled Texas to achieve

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achieve a present independence, it is clear, and to none clearer than to the Texan adventurers themselves, that the independent sovereignty of a state, the population of which does not—even now, and by the most partial accounts—exceed 65,000 persons of all ages and sexes, (American Almanack, 1838, p. 262,) must be very precarious;—and that all the interests created and so extensively spread over the United States by the land jobbers and speculators in Texan scrip cannot hold good, whether Mexican law resume its authority, or the lawless adventurers of Texas be left to scramble amongst themselves for territorial plunder. The whole, therefore, of 'the Texans' who have obtained the grants, and the great body in the United States who have speculated in them, are endeavouring to procure the admission of Texas into the Union, which would at once relieve them from all apprehension from the side of Mexico, and would legalise their now fraudulent possessions, by giving all authority over the territory to the Washington legislature—that is, to themselves.

To this scheme, founded in robbery and prosecuted in fraud, the weightiest authorities in the Union are strongly and rationally opposed. Miss Martineau herself was taught to call 'the *stealing* of Texas the most *high-handed theft* of modern times.' (vol. i. p. 106.) Foremost in this respectable opposition is the high authority of Doctor Channing, who, in a letter to Mr. Clay, examines with critical justice, and refutes by unanswerable reasons, all the pretences under which the Texans justify their revolt from Mexico and solicit their reception into the Union—and he adds some most powerful considerations on the part of the United States themselves against the proposed annexation.

Doctor Channing is so considerable a name that we shall not feel ourselves obliged to follow the detail of facts or the reasonings by which he arrives at his conclusions. These facts and reasonings are irrefragable; but for the English reader it will be sufficient to quote the issues to which a judge so impartial and so intelligent brings the question in discussion.

Wherever there is a revolt the insurgents will, as a matter of course, allege grievances, and will conceal the designs of personal cupidity under an affected zeal for public rights and the liberties of their country. So have the Texans.

'But I ask you, Sir,' says Dr. Channing to Mr. Clay—

'I ask you, Sir, whether it is not your deliberate conviction, that Mexico, from the beginning of her connexion with the colonists, has been more sinned against than sinning? But allowing that the violent means used by Mexico for enforcing her authority, were less provoked than we believe them to have been, did not the Texans enter the country with a full knowledge of its condition? ..... In swearing allegiance to such a state, did they not consent to take their chance of the

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the evils, through which it must have been expected to pass in its way to firm and free institutions? ..... Some of the grounds on which the Texans justify their conflict for independence are so glaringly deficient in truth and reason, that it is hard to avoid suspicion of every defence set up for their revolt.'—*Channing*, p. 7.

These minor grievances he easily refutes, and then proceeds to examine the grand grievance of *centralism*—which, although it did not occur for a long period subsequent to the original disturbance, and was not finally settled till after the revolt had actually broken out, is now dwelt upon as the main justification of that revolt:—

One of the greatest grievances in the eyes of Texas, was the change of the Mexican government from a federal to a central or consolidated form. But this change, however violently brought about, was ratified by the national congress according to the rules prescribed by the constitution, and was sanctioned by the Mexican people. The decree of congress introducing this "reform" of the national institutions declares the system of government "republican, popular, and representative," and provides all the organs by which such a government is characterized. What also deserves our consideration in estimating this measure is, that the whole history of Mexico has proved the necessity of substituting a central for a federal government. Liberty and order can be reconciled and preserved in that country by no process but by the introduction of more simple and efficient institutions. And yet the Texans, a handful of strangers, (at the breaking out of the insurrection about twenty thousand, including men, women, and children,) raised the standard of revolt, because the government was changed by a nation of nine millions without their consent.'—*Channing*, pp. 7, 8.

Having considered the alleged grievances of the Texans, he proceeds to explain 'the *real* and great causes of the revolt:'—

'These are matters of notoriety, so as to need no minute exposition. The first great cause was the unbounded, unprincipled spirit of land speculation, which so tempting a prize as Texas easily kindled in multitudes in the United States, where this mode of gambling is too common a vice. Large grants of land in Texas were originally made to individuals, chiefly citizens of our country, who, in many cases, transferred their claims to joint-stock companies in some of our cities.'—*Channing*, p. 10.

Then follows the story we have already given of the grants to the *Empresarios*, to which Dr. Channing adds:—

'In consequence of these lawless proceedings, great numbers in this country and Texas have nominal titles to land, which can only be substantiated by setting aside the authority of the general congress of Mexico, and are, of consequence, directly and strongly interested in severing this province from the Mexican confederacy. Texan independence can alone legalise the mighty frauds of the land speculator. Texas must be wrested from the country to which she owes allegiance that

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that her soil may pass into the hands of cheating and cheated foreigners. We have here one explanation of the zeal with which the Texan cause was embraced in the United States. From this country the great impulse has been given to the Texan revolution; and a principal motive has been the unappeasable hunger for Texan land. An interest in that soil, whether real or fictitious, has been spread over our country. Thus "the generous zeal for freedom," which has stirred and armed so many of our citizens to fight for Texas, turns out to be a passion for unrighteous spoil.'—*Channing*, p. 12.

This *was*, in fact, the first and sole object; but out of it has grown a subsidiary matter of still greater and more extensive importance—one which affects not Texas singly, but the United States—and not the United States alone, but the European powers, and eventually mankind:—

'I proceed to another cause of the revolt; and this was, the resolution *to throw Texas open to slaveholders and slaves*. Mexico, at the moment of throwing off the Spanish yoke, gave a noble testimony of her loyalty to free principles, by decreeing, "that no person thereafter should be born a slave, or introduced as such into the Mexican States; that all slaves then held should receive stipulated wages, and be subject to no punishment but on trial and judgment by the magistrate." The subsequent acts of the government carried out fully these constitutional provisions. It is matter of deep grief and humiliation, that the emigrants from this country, whilst boasting of superior civilization, refused to second this honourable policy, intended to set limits to one of the greatest social evils. .....

'This settled, invincible purpose of Mexico to exclude slavery from her limits, created as strong a purpose to annihilate her authority in Texas. By this prohibition Texas was virtually shut against immigration from the Southern and Western portions of this country; and it is well known that the eyes of the South and West had for some time been turned to this province, as a new market for slaves, as a new field for slave labour, and as a vast accession of political power to the slaveholding states. That such views were prevalent we know; for, nefarious as they are, they found their way into the public prints. The project of dismembering a neighbouring republic that slaveholders and slaves might overspread a region which had been consecrated to a free population, was discussed in newspapers as coolly as if it were a matter of obvious right and unquestionable humanity. A powerful interest was thus created for severing from Mexico her distant province. We have here a powerful incitement to the Texan revolt, and another explanation of the eagerness with which men and money were thrown from the United States into that region to carry on the war of revolution.'—*Channing*, pp. 12, 13.

In a subsequent part of his letter Dr. Channing returns to this subject, and shows, by a variety of details and arguments, that the annexation of Texas must extend and perpetuate slavery, and that

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that this is one of the main sources of the support that the proposition receives in the Southern States:—

'As far back as the year 1829, the annexation of Texas was agitated in the Southern and Western States; and it was urged on the ground of the strength and extension it would give to the slaveholding interest. In a series of essays, ascribed to a gentleman, now a senator in Congress, it was maintained, that five or six slaveholding States would by this measure be added to the Union; and he even intimated that as many *as nine States as large as Kentucky* might be formed within the limits of Texas. In Virginia, about the same time, calculations were made as to the increased value which would thus be given to slaves, and it was even said that this acquisition would raise the price fifty per cent. Of late the language on this subject is most explicit. The great argument for annexing Texas is, that it will strengthen "the peculiar institutions" of the South, and open a new and vast field for slavery.

'*By this act, slavery will be perpetuated in the old States, as well as spread over new.* It is well known, that the soil of some of the old States has become exhausted by slave cultivation. . . . . They now adhere to slavery, not on account of the wealth which it extracts from the soil, but because it furnishes men and women to be sold in newly settled and more southern districts. It is by *slave-breeding and slave-selling* that these States subsist. . . . By annexing Texas, we shall not only create it where it does not exist, but breathe new life into it where its end seemed to be near. . . . . Nor is the worst told; we shall not only quicken the domestic slave-trade, we shall give a new impulse to the foreign. This, indeed, we have pronounced in our laws to be felony; but we make our laws cobwebs, when we offer to rapacious men strong motives for their violation. Open a market for slaves in an unsettled country, with a sweep of sea-coast, and at such a distance from the seat of government that laws may be evaded with impunity, and how can you exclude slaves from Africa?'—*Channing*, pp. 25, 26.

But this moral turpitude is not all. The annexation of Texas would be, Dr. Channing shows, a great political crime, and a great political danger—one which will not only shake the internal constitution of the Union, but cannot fail to involve it in discussions and hostilities with the powers of both continents. This is urged with great force, in many such passages as the following:—

'I now proceed to a very solemn consideration, namely, that by this act, our country will enter on a career of encroachment, war, and crime, and will merit and incur the punishment and woe of aggravated wrongdoing. The seizure of Texas will not stand alone. It will darken our future history. It will be linked by an iron necessity to long-continued deeds of rapine and blood. Ages may not see the catastrophe of the tragedy, the first scene of which we are so ready to enact. . . . . We are a restless people, prone to encroachment, impatient of the ordinary laws of progress, less anxious to consolidate and to perfect than to extend our institutions, more ambitious of spreading ourselves over a wide space

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space than of diffusing beauty and fruitfulness over a narrower field. We boast of our rapid growth, forgetting that, throughout nature, noble growths are slow. . . . Texas is a country conquered by our citizens; and the annexation of it to our Union will be the beginning of conquests, which, unless arrested and beaten back by a just and kind Providence, will stop only at the Isthmus of Darien. Henceforth, we must cease to cry, Peace, peace. Our Eagle will whet, not gorge, its appetite on its first victim; and will snuff a more tempting quarry, more alluring blood, in every new region which opens southward. To annex Texas is to declare perpetual war with Mexico.'—*Channing*, pp. 16—18.

In pursuing this part of the subject, Dr. Channing is led to consider the interest which England ought to take in this system of territorial aggrandisement:—

'First, England has a moral interest in this question. The annexation of Texas is sought by us for the very purpose of extending slavery, and thus will necessarily give new life and extension to the slave-trade. A new and vast market for slaves cannot, of course, be opened, without inviting and obtaining a supply from abroad, as well as from this country. The most solemn treaties, and ships of war lining the African coast, do not and cannot suppress this infernal traffic, as long as the slaver, freighted with stolen, chained, and wretched captives, can obtain a price proportioned to the peril of the undertaking. Now England has long made it a part of her foreign policy to suppress the slave-trade; and, of late, a strong public feeling impels the government to resist, as far as may be, the extension of slavery. Can we expect her to be a passive spectator of a measure, by which her struggles for years in the cause of humanity, and some of her strongest national feelings, are to be withstood?

'But England has a political as well as moral interest in this question. By the annexation of Texas we shall approach her liberated colonies; we shall build up a power in her neighbourhood, to which no limits can be prescribed. By adding Texas to our acquisition of Florida, we shall do much toward girdling the Gulf of Mexico; and I doubt not, that some of our politicians will feel as if our *mastery in that sea were sure*. The West Indian Archipelago, in which the European is regarded as an intruder, will, of course, be embraced in our ever-growing scheme of empire. In truth, collision with the West Indies will be the most certain effect of the extension of our power in that quarter.

'Can England view our encroachments without alarm? I know it is thought that, staggering, as she does, under her enormous debt, she will be slow to engage in war. But other nations of Europe have islands in the same neighbourhood, to induce them to make common cause with her. Other nations look with jealousy on our peculiar institutions and our growing maritime power. Other nations are unwilling that we should engross or control the whole commerce of the Mexican Gulf. We ought to remember, that this jealousy is sanctioned by our own example. It is understood, that, at one period of the internal disorders of Spain, which rendered all her foreign possessions insecure, we sought from France and Great Britain assurances that they would not possess themselves

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themselves of Cuba. Still more, after the revolt of her colonies from Spain, and after our recognition of their independence, it was announced to the nations of Europe, in the message of the President, that we should regard as hostile any interference, on their part, with these new governments, "for the purpose of oppressing them, or controlling their destiny in any other way."'—*Channing*, pp. 21—23.

This is honest and enlightened—the language of a patriot and a statesman, and we receive with satisfaction these acknowledgments of the extension and acceptation, in the United States, of those great principles of international law, by which alone the rights and independence of nations can be guaranteed; and which must, in process of events, become as important and valuable to the States of America as they are to the people of the Old World. But Dr. Channing brings the matter still more home to our individual interest:—

'I, of course, have no communication with foreign cabinets; but I cannot doubt that Great Britain has remonstrated against the annexation of Texas to this country. *An English minister would be unworthy of his office*, who should see another state greedily swallowing up territories in the neighbourhood of British colonies, and not strive, by all just means, to avert the danger.'—*Channing*, p. 23.

We are no more in the secrets of Cabinets than Dr. Channing—but ill as we think of all that we have ever seen of Lord Palmerston's administration of our foreign affairs—ignorant as he seems to be of the laws of nations—blind as he surely is to the fatal tendency of his precedents—and indifferent as he appears to every consideration beyond the conservation of his seat in Downing Street by countenancing the revolutionary movement at home and abroad—we yet think it impossible that he should have waited for the suggestion of Dr. Channing as to the course which 'a British minister, who was not *unworthy of his office*,' must have taken towards strengthening, by amicable representations, the reluctance of the Cabinet at Washington to be drawn or driven into this torrent of piratical acquisition, which, in the opinion of the best-informed Americans themselves, would whirl all parties down the Niagara of interminable hostilities.

Nor is this a mere metaphor.

Important as the question is—as Dr. Channing states it—to our West Indian possessions, and to the existing balance of power in those regions of the world, it becomes infinitely more so in relation to Canada and New Brunswick. Even Lord Palmerston must, we suppose, be aware of what has been going on for nearly a dozen years past in Texas, and if so, we cannot imagine that he should not have seen in the whole of those proceedings a precedent pregnant with danger to our own frontier. Such encroachments on the Mexican provinces—if sanctioned, or even connived

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connived at, by the Government—would afford not merely a precedent, but an inducement to similar attempts on the British Colonies; and, in fact, we have seen that one of these expeditions to Texas did, on the way to its avowed destination, make a parenthetical piracy on one of our own islands.

We do not find in the works before us any clear indication of the opinions of the American Government on this important subject. The earnestness with which Dr. Channing has thought it necessary to oppose the annexation of Texas would lead to an apprehension that the Cabinet of Washington was secretly favourable to this usurpation. Some years ago (about eight or ten), during the mission of Mr. Poinsett, the interference of the American Government in the affairs of Mexico was very active. It is certain that a loan of twelve millions of dollars was proposed to the Mexican Government on the security, as it was reported at the time, of the provinces of Texas and Coahuila. And even the sale of the province of Texas was generally believed to have been in contemplation; and to this Dr. Channing seems to allude with strong disapprobation; but, on the other hand, the conduct of the American Government with regard to Canada appears to be a public and honourable indication of its *disposition*, whatever may be its *power*, to respect the rights of its neighbours, and to repress the irregularities of the lawless spirit of its frontier—a duty which, we agree with Dr. Channing, is as essential to the real interests of the United States themselves as those of their neighbours.

These hopes are confirmed by another view of the subject which we should not, on our imperfect information, have ventured to take, but which is opened by Dr. Channing with a force and gravity which will startle our readers. In the opinion of this able and patriotic writer, the question of Texas involves the very *existence of the* UNION! That the principle of greedy, unjust, and indefinite territorial aggrandisement would *eventually* lead to the dissolution of the Federation is clear enough to any thinking man, but we were not prepared to find it contemplated by our American patriot as so early a possibility.

'I now proceed to another important argument against the annexation of Texas to our country, the argument drawn from the bearings of the measure on our National Union. Next to liberty, union is our great political interest, and this cannot but be loosened—*it may be dissolved—by the proposed extension of our territory.* . . . The objection to the annexation of Texas, drawn from the unwieldiness it would give to the country, though very serious, is not decisive. A far more serious objection is, that it is to be annexed to us for the avowed purpose of multiplying slaveholding States, and thus giving political power. This cannot, ought not to be borne. It will justify, *it will at length demand, the separation of the States.*'—*Channing*, p. 34.

'To

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'To me it seems not only the right, but the duty of the free States, in case of the annexation of Texas, to say to the slaveholding States, "*We regard this act as the dissolution of the Union.* The essential conditions of the national compact are violated. To you we will faithfully adhere, but will not join ourselves to this new and iniquitous acquisition. We will not become partners in your wars with Mexico and Europe, in your schemes of spreading and perpetuating slavery, in your hopes of conquest, in your unrighteous spoils." No one prizes the Union more than myself, as the means of peace. But, with Texas, we shall have no peace. Texas, brought into the confederacy, will bring with it domestic and foreign strife. It will change our relations to other countries, and to one another. A pacific division in the first instance seems to me to threaten less contention than a lingering, feverish dissolution of the Union, such as must be expected under this fatal innovation.'—*ib.* p. 38.

Such a prophecy from the mouth of a traveller, a stranger, or even of a native excited by party feelings, would appear very serious; but it is surely an awful and unexpected warning from the lips of a citizen possesssing the high talents and still higher moral character of Dr. Channing. And it is still more so when taken in conjunction with what follows:—

'I have said that we shall expose our freedom to great peril by entering a new career of crime. We are corrupt enough already. In one respect, *our institutions have disappointed us all.* They have not wrought out for us that elevation of character, which is the most precious, and, in truth, the only substantial blessing of liberty. Our progress in prosperity has indeed been the wonder of the world; but this prosperity has done much to counteract the ennobling influence of free institutions. The peculiar circumstances of the country and of our times have poured in upon us a torrent of wealth; and human nature has not been strong enough for the assault of such severe temptation. Prosperity has become dearer than freedom. Government is regarded more as a means of enriching the country than of securing private rights. We have become wedded to gain, as our chief good. That, under the predominance of this *degrading passion*, the higher virtues, the moral independence, the simplicity of manners, the stern uprightness, the self-reverence, the respect for man as man, which are the ornaments and safeguards of a republic, should wither, and give place to selfish calculation and indulgence, to show and extravagance, to anxious, envious, discontented strivings, to wild adventure, and to the gambling spirit of speculation, will surprise no one who has studied human nature. The invasion of Texas by our citizens is a mournful comment on our national morality. Whether without some fiery trial, some signal prostration of our prosperity, we can rise to the force and self-denial of freemen, is a question not easily solved.

'There are other alarming views. *A spirit of lawlessness pervades the community, which, if not repressed, threatens the dissolution of our present forms of society. Even in the old States, mobs are taking the government into their hands,* and a profligate newspaper finds little difficulty

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difficulty in stirring up multitudes to violence. When we look at the parts of the country nearest Texas, we see the arm of the law paralysed by the passions of the individual. Men take under their own protection the rights which it is the very office of government to secure. The citizen, wearing arms as means of defence, carries with him perpetual proofs of the weakness of the authorities under which he lives. The *substitution of self-constituted tribunals* for the regular course of justice, and the infliction of immediate punishment in the moment of popular phrensy, are symptoms of a people half reclaimed from barbarism. I know not that any civilized country on earth has exhibited, during the last year, a spectacle so atrocious as the burning of a coloured man by a slow fire, in the neighbourhood of St. Louis! and this infernal sacrifice was offered not by a few fiends selected from the whole country, but by a crowd gathered from a single spot. Add to all this, the invasions of the rights of speech and of the press by lawless force, the extent and toleration of which oblige us to believe that *a considerable portion of our citizens have no comprehension of the first principles of liberty.*

'It is an undeniable fact, that, in consequence of these and other symptoms, the *confidence of many reflecting men in our free institutions is very much impaired.* Some despair. That main pillar of public liberty, mutual trust among citizens, is shaken. *That we must seek security for property and life in a stronger government, is a spreading conviction.* Men, who in public talk of the stability of our institutions, whisper their doubts (perhaps their scorn) in private.'—*ib.* pp. 40, 41.

These most important views of the futurity of his country, Dr. Channing further elucidates and enforces in the following eloquent passages—which we quote, and upon which we shall offer something like a commentary, because they appear to us to open the—at this moment—most important, moral and political, question that can be offered to the consideration of either the old world or the new—the probable fitness of *republican institutions* to protect, to cultivate, and to advance the general and individual happiness of mankind:—

'I may be thought inclined to draw a dark picture of our moral condition. But at home I am set down among those who hope against hope; and I have never ceased to condemn as a crime the despondence of those who, lamenting the corruptions of the times, do not lift a finger to withstand it. I am far, very far from despair. I have no fears but such as belong to a friend of freedom. Among dark omens I see favourable influences, remedial processes, counteracting agencies. I well know that the vicious part of our system makes more noise and show than the sound. I know that the prophets of ruin to our institutions are to be found most frequently in the party out of power, and that many dark auguries must be set down to the account of disappointment and irritation. I am sure, too, that imminent peril would wake up the spirit of our fathers in many who slumber in these days of ease and security. It is also true, that, with all our defects, there is a wider diffusion of intelligence, moral restraint, and self-respect among us, than through

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through any other community. Still, I am compelled to acknowledge an *extent of corruption* among us, which menaces freedom and our dearest interests: and a policy, which will give new and enduring impulse to corruption, which will multiply indefinitely public and private crime, ought to be reprobated as the sorest calamity we can incur.

'That the cause of *republicanism is suffering* abroad, through the *defects and crimes of our countrymen*, is as true as that it is regarded with increased scepticism among ourselves. Abroad, republicanism is identified with the United States, and it is certain that *the American name has not risen of late in the world.*'—*Channing*, p. 42.

This view of the actual influence of the example of the United States is contrasted with the following beautiful and lofty conception of what it might and ought to be:—

'I have alluded to the want of wisdom with which we are accustomed to speak of our destiny as a people. We are *destined* (that is the word) to overspread North America; and, intoxicated with the idea, it matters little to us how we accomplish our fate. To spread, to supplant others, to cover a boundless space, this seems our ambition, no matter what influence we spread with us. Why cannot we rise to nobler conceptions of our destiny? Why do we not feel that our work as a nation is, to carry freedom, religion, science, and a nobler form of human nature over this continent; and why do we not remember that to diffuse these blessings we must first cherish them in our own borders; and that whatever deeply and permanently corrupts us, will make our spreading influence a curse, not a blessing, to this new world? It is a common idea in Europe, that we are destined to spread an inferior civilization over North America; *that our slavery and our absorption in gain and outward interests* mark us out as fated to fall behind the old world in the higher improvements of human nature, in the philosophy, the refinements, the enthusiasm of literature and the arts, which throw a lustre round other countries. I am not prophet enough to read our fate. I believe, indeed, that we are to make our futurity for ourselves. I believe that a nation's destiny lies in its character, in the principles which govern its policy and bear rule in the hearts of its citizens. I take my stand on God's moral and eternal law. A nation, renouncing and defying this, cannot be free, cannot be great.'—*Channing*, p. 44.

This from the mouth of a learned and able republican affords, our readers will perceive, no flattering picture of the present state of political society in the United States, nor any very confident hopes of its duration. 'A tree shall be known by its fruits,' and a government must be, in some degree at least, judged by the manners it creates. We are well aware that the revolutionary party in Europe have pushed this proposition to an untenable extent, by attempting to make the ancient and established governments responsible, not merely for the abuses which may have grown up, but for the natural follies and vices of mankind; and we agree with the philosophic poet—

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'How small, of all that human hearts endure,
That part which laws or kings can cause or cure!'

This—as it regards manners and social and political relations—is peculiarly true of the old European countries, where the forms of government have grown out of a *pre-existing* state of society, and have only followed—not created—the national temper and character. But in a new country, where the political constitution *precedes* the social combination, where—as in a kind of Utopia—men are born and societies created to bear an allotted share in *pre-ordained* institutions, it is clear that those institutions must have a predominant influence on the nascent society. They are the education of the infant people!

None of the human race, we confidently believe, possess higher natural qualities than what Dr. Channing calls the Anglo-Saxon American. In physical advantages, they are above the average of mankind and not inferior to their progenitors; their courage is equal to the highest, and their talents are great, varied, and vigorous. If, then, as Dr. Channing seems to concede, they have attained only 'an inferior civilisation,'—if they 'fall behind the old world in the higher improvements of human nature,'—we cannot hesitate to pronounce, that this inferiority must be mainly attributable to the institutions under which their great natural advantages are cramped, or rather, we should say, warped and distorted into those defects which have, of late, 'lowered the American name in the world.'

We confess that we look with still greater apprehension than Dr. Channing *expresses* to the spread of this inferior civilization—these corrupted manners—these distorted energies over the vast continent, which we do think the Anglo-Saxon race, with its coloured progeny, is (*pace Doctoris*) '*destined*' to colonize; and we shall not, therefore, affect to deny that we should—for the sake of this growing world—hail with satisfaction any circumstances that should induce the American people to a revision of all, and a re-construction of some, of those institutions which we believe in our conscience to be unfavourable to the development of all the best parts of the American character, and to be the main cause of all the graver defects with which they are reproached, by either the judicious criticism of foreigners, or the enlightened candour of their own countrymen.

Let us not be misunderstood: we heartily rejoice in the advance of the Anglo-American people in wealth and power. They are our brothers, our sons, our cousins—and our being permanently divided by rival interests, or even occasionally alienated by personal antipathies, does not alter the great fact that we are of the same family, that we speak the same tongue, read the same books, and

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and acknowledge as the basis of society the same general principles of civil and religious liberty. But we desire that their advances in wealth and power should be accompanied by a corresponding growth of general civilisation—of private morals—and of an honest and honourable spirit of international policy;—in all which points it is admitted by themselves that they are gradually 'falling behind the rest of the world.' It is not for us to advocate the introduction of the monarchical or aristocratical system into America, nor indeed of any other *cut and dry* system—though we believe that some form of monarchy will be found, in the long run, to be the best protection for the liberties and happiness of civilised man; but what we more immediately deplore, in a fraternal and not a rival spirit, is the *growth* of an extreme and *unmixed democracy*, which checks civilisation, defeats law and justice, corrupts manners, brutalises the national feeling, and tends immediately to aggression and robbery, and eventually to barbarism and anarchy.

We admit, for we are anxious to conduct this important discussion in the fairest manner—we readily admit, that if, what is now generally called a *republic*, that is an unmixed democracy, has any chance of practical and permanent success, it is in the United States of America. They have no adverse antecedents: democracy has there no prejudices to overcome, no precedents to overrule, no habits, no manners, no recollections to contend with. They have no *anti*-popular, nor even *extra*-popular authority to pull down; they have no traditional aristocracy to restore; they are, as it were, '*native and endued unto that element.*' We have in England a phrase which strongly expresses the hold which institutions take of an old and long legalised country, when we talk emphatically of the '*law of the land.*' The *law of the land* is a title of such antiquity and authority amongst us, that it is, as we may almost say, sanctified in *Magna Charta*, and our habitual respect for it, though sadly weakened by modern theorists, is still our best human hope against revolutionary innovation; but universal suffrage—popular election to *all* offices in the State—the absence of any right of primogeniture—the distribution of property by *gavel*, and a system of not merely *legal* but *social* equality, are, in the United States, *the laws of a land* which has never known any other, and which—apart from any intrinsic merits they may or may not have—possess the general approbation, not to say admiration, of a people who have grown up under them, and who believe, justly or erroneously, that to them is mainly due the unexampled—the enormous strides that they have made in prosperity at home and power abroad. American democracy is therefore an indigenous growth, under a favouring climate and in a congenial soil.

But,

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But, besides these and other moral considerations, there are some *material* causes which render the democratical institutions of America peculiarly congenial to its condition and its wants. The inexhaustible field which the back settlements afford for individual enterprise serves to drain off—not merely harmlessly, but beneficially—all the exuberant and irregular spirit of personal ambition and insubordination—the feuds, the factions, and the party struggles which have been the essential and characteristic dangers of all the democracies which the world has yet seen. *Eò ex finitimis populis, turba omnis sine discrimine, liber an servus esset, avida novarum rerum perfugit; idque primum ad cœptam magnitudinem roboris fuit.* These back settlements are the great *safety-valve* of the American republic. Had the Alleganies been impassable, we do not believe that it would have lasted even to this day.

And, moreover, the force of the valve seems providentially graduated to insure the most beneficial action. There is enough of risk and difficulty in the life of the adventurers to keep at home all those who, either by temper or by property, are satisfied with their lot and position; in short, the conservative portions of the population: while, on the other hand, there is nothing to deter, but, on the contrary, enough to allure those busy and enterprising spirits, whose energies would be dangerous in a more limited and more densely cultivated country.

This facility and habit of emigration affords, also, and may to a probably distant period continue to afford, a complete and admirable preventive remedy against that heaviest scourge of European societies, and that most awful danger of European governments—*able-bodied Pauperism!* This is the greatest, and perhaps the only substantial *moral* benefit that the state of American society receives from the western wilderness; but it is not an advantage which depends altogether on the form of government, and it is accompanied by many drawbacks, both moral and political—such as the encouragement of unsettled, wandering, and, eventually, lawless habits; the spread of inferior civilisation; the retrocession of mankind to primitive barbarism, and the stimulation of a dishonest and predatory spirit. But whichever way the balance of advantage in this matter may incline, we must further admit that the great democratic principle—the paramount rights of *individual* man—is in every respect best fitted for the colonisation of western America. Such a wilderness can only be planted with any profit by individual and unrestricted energies, which no government could direct—under local circumstances which no government could reach. The settler must depend on himself alone, under circumstances where no other elements of colonisation are to be found—

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'Than man and steel—the *woodman* and the *axe!*'

Such a state of existence—we can hardly call it society—if to be maintained in its proper efficiency, is evidently beyond the pale of monarchical or aristocratical government, or indeed of any government at all; and if this were not *à priori* clear, it would be made so by comparing the success of American enterprise with that of any other system of colonization with which we are acquainted.

Such appear to us to be the chief causes of the success of the republican institutions in the United States—causes which, of course, cannot exist in any European country, and without a combination of which, no democratic republic of any extent or international importance could, we are convinced, exist ten years.

But when we come to trace these causes to their essential principles, and bring the result into combination with other unquestionable facts of human history, and other irrepressible tendencies of human nature, we see strong reason to suspect that America herself, with all the advantages for the experiment which we have fairly stated, is '*destined*' also to afford another proof that such a democracy is not long reconcileable with great national power and a high state of moral civilisation.

First, we think we might almost venture to assert that no pure democracy has ever existed for any length of time in any country ancient or modern. The democracy of Athens, the simplest we read of, was periodically interrupted by the intervention of *Tyrants* (we use the word technically), or eminent persons who emerged out of various degrees of anarchy to a *tyrannical* influence; and these were the days of its power and its glory. All the other republics of ancient or modern times found their principle of vitality and permanence in a large mixture of oligarchy, which always constituted the permanent governing power, to which the action of the democracy was auxiliary, and formal rather than substantial.

In the next place, all those republics were limited to a comparatively narrow territory, and were compressed, and therefore supported, by powerful neighbours. This is obvious in the cases of all the Grecian and all the modern European republics. That of Rome seems to offer an exception—but it, in truth, does not. The Roman republic was an oligarchy, and the government was so essentially *patrician*, that it has bequeathed its name to the highest forms of modern aristocracy. Though the Roman arms covered the world, the Roman republic existed only in the heart of Italy, and in the few towns admitted (*exceptio probans regulam*) to the rights of citizenship; all the rest was military domination; and Gaul, Iberia, and Helvetia were no more republican under Marius

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Marius or Pompey, than France, Spain, Italy, or Switzerland were under Buonaparte. Small republics are possible, because their powerful neighbours guarantee them alike from foreign aggression and from their own internal factions; but a large republic must, we think, inevitably break up into separate states, or maintain its integrity by subsiding into some form of despotism. There can be no alternative.

If this, or any thing like this, be true of a single state derived from one origin, under one climate and having a singularity of interests, how much more so must it be with regard to a number of states, each as large as a European kingdom, spread over more climates than Europe occupies, and divided therefore into that endless variety of material interests, arising from such extensive territories and such various natural wants and capacities! We can no more confide in the duration of an unity of interests, feelings, and government in Massachusetts and Louisiana, than in the declarations of Louis XIV., or Napoleon, that there were no longer Pyrenees!

The system of *Federation* has, it must be admitted, one advantage, which tends to delay or avert a crisis of the nature we are now contemplating. As in the celebrated process of taming elephants, a refractory state may find itself between two sober and peaceable neighbours, who will speedily reduce it to obedience to the general will: but, as mankind are not so docile as elephants, it may be doubted how long such a process would preserve national harmony.

It is also certain that there would be in the United States a strong reluctance to give the institutions of the old country such a *triumph* as they imagine we should feel at the failure of their great experiment; but a feeling arising out of mere *temper* cannot have very durable effects, and America will by and by come to understand that if we wish for any change in their institutions, it is not from a spirit of party, but because we think it will ultimately conduce to their general prosperity, in which—if for no higher motive than that they are our *best customer*—we must feel a sincere and almost a personal interest.

We, therefore, on a balance of all the premises, incline to the conclusion that, whenever the elder American States become really and substantially condensed in population, property, and civilisation, then individual interests will grow into irreconcileable rivalries, and that the preservation of peace amongst them will require *permanent governments*, still responsible, no doubt, to the substantial good sense—but strong enough to resist the occasional impulses of—their diversified people. Of this tendency to dis-

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union we have already seen some notable indications: first, doubtfully, during the late war with England; latterly, more strongly, in the *Nullification* controversy; and now, still more seriously, in the opinions of men so grave and so patriotic as Dr. Channing, on the present question of the Texas.

We concur, as our readers have seen, in all that Dr. Channing says of the danger to the Union from a spirit of territorial aggrandisement, which once indulged cannot, we agree with him, be stopped short of the Icy sea, the Pacific, and the Isthmus—a process which would involve wide-spread foreign wars, and—whether such wars should be successful or the contrary—inevitable internal dissension and ultimate disruption.

But the more immediate danger, we also agree with Dr. Channing, arises from the Slavery question. We can add nothing—comparatively uninformed as we are, and prejudiced as to a certain degree we may be supposed to be—which could be of any importance after the testimony of Doctor Channing. There is, however, one circumstance which he has overlooked, which seems to us to deprive the Slavery question of somewhat of its vital, or at least of its instant importance. We are informed that the growth of manufactures, and particularly of the cotton manufactures in the Eastern States, has had a tendency to reconcile these states to the system of slavery in the South. The raw cotton grown by slave labour in Louisiana employs the looms of Massachusetts, and the manufactured goods of Massachusetts return to clothe the slave population of the South; and thus, by a cycle of commercial benefits, the Northern and Eastern States begin to feel that there is some *material* compensation for the moral turpitude of the system of slavery.

We do not pretend to be able to guess how far this feeling may go towards *retarding* the explosion between the antagonist principles of free and slave labour, but we have thought it but fair to notice it as an ingredient in the discussion which, though it has not been, that we know of, publicly noticed, is, if we are rightly informed, already plainly visible and in no slight degree effective.

There is another most important, though hitherto little observed, consideration, applicable to this part of the subject, which has grown out of the slavery system, but is now assuming a formidable aspect of its own: we mean the condition and the growth of the *free people of colour*. An English reader can have no idea of the feelings of inveterate and irreconcileable antipathy with which the pure whites look upon *any* mixture of black blood: contact with any of the shades of colour is contamination—connexion would be mortal. They despise, or, at least, hate them worse

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worse than the absolute Negro slave—because they seem to approach them more nearly—because, as they would say, 'they imitate humanity so abominably.' Yet this *tabooed* race, these *exiles at home*, possess physical and moral qualities already little inferior to those who look down upon them, and are rapidly growing in number, in wealth, and—in spite of the contempt of their white cousins—in respectability. If we read aright the various accounts, both of travellers and natives, the prospect of amalgamation, or even of conciliation, between these consanguineous races seems indefinitely distant, and we are inclined to suspect that slavery itself is hardly a more awful question to society in the United States, than the condition of the free citizens of colour. These people, it may be added, meet no such inveterate prejudices in Canada; and this is another fact which may have important consequences on the destiny of the West.

Miss Martineau is the only writer we recollect, foreign or native, who discards absolutely all idea of a future dissolution of the federation as a mere vision indulged by those only who are prejudiced against the great republican experiment; but she adds, not quite consistently, we think, that '*happen hereafter what may*, the existence of the Union up to this day has *proved* the great fact of the capacity of mankind for *self-government*;' by which it appears, from the context, that she means a *perfect democracy*. Now we beg leave to say that no such thing has been yet 'proved,' nor can, we apprehend, be proved, till the experiment shall have been brought to the test—first, by the gradual closing of the physical safety-valves we have alluded to, and, secondly, by the gradual growth of those political interests which tend to individualise the States and to aristocratise societies. So that we can by no means concur with Miss Martineau in treating with such dogmatical contempt as she has done the prudent suggestion of '*Wait; these are early days; the experiment may yet fail.*'

But Miss Martineau's reasoning is, in other respects, also quite inconsistent with her facts. She alleges that the existence, up to this time, of the Union, demonstrates the final accomplishment and *irrevocable* success of the democratic principle; and then she proceeds to complain at great length, and with suitable earnestness, that a lamentable quantity of aristocracy—the vestiges of the old governments—is still interwoven with the existing laws and manners; and she expresses her further conviction that the republican principle cannot receive its full and fair development until all those aristocratical anomalies shall be brought down to, or rather merged under, the level of *absolute and indiscriminate equality amongst all human creatures*,—a happy state, from which Miss

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Miss Martineau laments that the Union is still too distant. But in pursuing this theme, she chooses to forget that these very aristocratical ingredients, few as they are, *may* have been the very checks which have hitherto kept the machine in the order which she admires—that they may be, as it were, the unseen pendulum which regulates the movement of the clock. Some of the wisest men in America think so, and we presume to incline to the same opinion. Let us take one example: Miss Martineau thinks the American *senate* aristocratical, and predicts its not distant downfall. 'The *senate* is an *anomaly*—an anomalous institution cannot be long-lived even if it works well; its well-working is only a temporary affair, an accident. Its radical change becomes a question of time merely, and recent events seem to indicate that the time is not far distant.'—(*Society in America*, i. 55.) Without dwelling on twenty other inconsistencies of the same kind, are we not justified by this single but most remarkable instance, in rejecting altogether the judgment of a writer who asserts that the pure democratic theory has been tested and established by an experiment in which she confesses that there has existed so influential an *anomaly* as a *senate;* and who predicts the eternal stability of a constitution at the very moment in which she announces the speedy dissolution of one of its most important, and its very most conservative, ingredients?—We confess that from almost every fact stated by Miss Martineau in her very rambling essays, it is our misfortune to have drawn conclusions extremely different from hers—we think the experiment is far from being concluded, and even on the mere *political* and *material* aspect of the affair, we see strong reason to doubt its ultimate success.

But when we take into the account some *moral* considerations that belong to the subject, our doubts become still stronger. We cannot believe that an extensive, rich, cultivated, and highly civilised society can permanently exist under the sole dominion of the physical majority, whose feelings and whose interests must tend to bring all men to one indiscriminate level, both of property and intellect, and that level of course the lowest. It seems to us, that to state such a proposition is to refute it; yet that such is the ultimate tendency of the American experiment may be easily proved, not merely *à priori*, but by every kind of evidence. We could produce abundance of such testimony, but the extracts which we have lately made from their own writers render any additional proof supererogative.

But it seems that even the alarming progress which this system has made, and must naturally continue to make, is not rapid enough for the exigency of the democratic principle. We learn that

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that an association of what in England would be called the lower classes, but which in America are the most influential, has been formed at New York, under the title of the *Workies*. These people appear to look at their political system shrewdly, and to deal with it logically. They have discovered that *education* is an inroad on natural equality, and they therefore propose that there should be for all citizens, without any personal exception, one uniform education.

This, extravagant as it may appear, is at least a proof of two not unimportant points—first, that the degree of equality which exists in the United States does not satisfy all its possessors, and that they are for pushing it to its last expression; and, secondly, that this extreme principle is impracticable nonsense! For, supposing the *Workies* to succeed in establishing these *common* schools and prohibiting all others, how will they continue to evade the innate *inequalities* of the human intellect, which enable one boy to attain with little trouble what another never can learn? and, however low the level of education may be laid, he that profits most by it will acquire in practice as complete a social superiority—*unoculus inter cæcos*—as if he had been educated at Oxford or Cambridge. Another principle of the *Workies*—a logical corollary of the former—is the equality of property—a kind of agrarian law by which, at stated intervals, all property is to be publicly and equally divided amongst all citizens. This—which is the real conclusion of all *systems* of social equality, and which is the only foundation on which such a system could exist—may perhaps be attempted—nay, it might be carried, wherever the absolute principle of universal suffrage may be established. Its success would make a nation of paupers; if the attempt itself was not likely to create a civil war, which, whatever might be its first fluctuations, could have no other result than some species of protective despotism.

We shall be told that these are the wild extremities of an inconsiderable sect. *Extreme*, we admit they are, but not *wild*—for they are the practical and logical conclusions from the *principles* which are now in mitigated operation in the United States—of which Miss Martineau and such wandering intellects advocate the full development, and which, we believe, will continue gradually to be developed, until a sad experience shall prove them to be utterly inconsistent with civil society—certainly with all rational liberty:—for if you give *power* to the mass, while civilisation gives *wealth* to the few, the former will sooner or later—*per fas aut nefas*—swallow up the latter, till at length their insane energies shall be curbed by the chains and strait-waistcoats of of despotic discipline.

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A great cause of that rapid demoralisation which Dr. Channing laments, arises, we apprehend, from the still more rapid accumulation of wealth. Nations can no more stand such sudden prosperity than individuals. The gambling nation, like the individual gambler, will be profligate. Wealth to do good to either must be gradually acquired by industry and prudence; and when so acquired, must be capable of being safely, honourably, and intellectually enjoyed—without the latter, it can purchase little more than is common to man and to beasts. For this reason it is that we regret, and altogether for the sake of America herself, the strong inclination and the arbitrary devices* to prevent the growth of any thing like an hereditary aristocracy even of property. 'The land'—says Mr. Jefferson in one of those plausible *jeux de mots* which dupe and disorder the popular mind—'is made for the living, and not for the dead;' and, in the spirit of this heartless aphorism, the institutions of America, under the pretence of liberty, tend to curtail mankind of one of the first rights of man—the free enjoyment and disposal of what he has earned by his own industry, and to defeat one of the most ennobling instincts of our nature—that of bequeathing ourselves, as it were, to our own posterity, and living an after-life in the foreseen affluence, respectability, and honour of our children and their descendants. Every kind of obstacle is raised to impede or defeat the *transmission* of a man's wealth, influence, or consideration—'*the land is for the living, not for the dead*'—and when a man is dead, all care is taken that no private gratitude or honour to his memory should survive among the living.

Mr. Cooper, who we suppose may be authority on such a subject, says distinctly, that the state of domestic society is far from satisfactory in America. 'Let,' says Mr. Cooper, 'the reason of the *weakness of the family tie* amongst us be what it will, the effect is to cut us off from a large portion of the happiness that is dependent on the affections.'—(*England*, iii. 139.) Again, 'All the local *affections are sacrificed to the spirit of gain*,'—the spirit of traffic is gradually enveloping *everything in its sordid grasp*;' and, 'the worst tendency of American manners is manifested by a rapacity for money, which, *when obtained, is to be spent in little besides eating and drinking*.'—(*ib.* v. ii., 13—54.) Dr. Chan-

* We have before us a letter from a gentleman almost equally well acquainted with America and England, and as able and intelligent as any man in either. He writes, 'It is perfectly true that a certain degree of persecution always attends any person who has the good, or as it sometimes turns out the bad, fortune to be richer than his neighbours, and persons of this description come every day to Europe to avoid it; many of them now live in Paris. Taxes in the towns are heavy, and have the vexatious appendage of being arbitrary. Wealth is, in fact, a crime and a disqualification.'

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ning's more general and equally pregnant observations on the state of American society have been seen in the preceding extracts. To what is this 'degrading' tendency to be attributed?—not to any innate sordidness or selfishness in the sons and brothers of Britons, but to the 'envious' and narrow-spirited institutions which obstruct the natural channels of individual liberality and taste:—a man must not attempt to found a family—to make, as it is called, an eldest son—to indulge in permanent and transmissible acquisitions of either the elegancies or the substantials of cultivated life. The law, and where the law does not, public opinion, still stronger than the law, tells him that he ought not to indulge himself in aristocratic refinements, and still less to extend his personal influence into futurity. Hence, we surmise, much of the 'sordid spirit' which the Americans attribute to themselves; hence the greediness of gain, which, when obtained, is spent in ignoble and brutal gratifications;—'*the land is for the living, and not for the dead,*' so 'eat, drink, and be merry, for to-morrow ye die!'

We cannot believe that man was created with the aspirations after futurity which distinguish him from the brutes who perish, to be cooped up in such base limits; and we cannot conceive the protracted existence of a state of society which thus perverts his noblest exertions and defeats his highest instincts. In short, we believe that *social superiority*, attainable by private industry or by public services, and transmissible from worthy parents to worthy descendants, (and the power of transmission tends to make both worthy,) is as essential to the happiness and well-being of mankind as *legal equality*.

If we were to pursue this all-important subject into its details, we think we could add largely to the reasons which we have thus summarily indicated; and we could show, that wherever this irrepressible instinct of our nature has been obstructed in its natural course, it escapes into the low and little channels of personal indulgences and vanities. In France, for instance, the ravenous greediness for individual titles and distinctions has grown with the growth, and strengthened with the strength of its pretended principles of equality; and the United States themselves, though they have neither Lords nor Baronets, are, we suspect, in their own way, a more titled nation than aristocratic England; every man is there a '*Gentleman*'—either an *Honourable*—an *Esquire*—a *General*—a *Colonel*—a *Major: all* the women, without any exception, are '*ladies.*'—(Abdy's *Journal*, ii. 121.) And John Fenimore Cooper, *Esquire*, has published to the whole world his flagrant indignation at not having been allowed to take precedence of an English *Duke!*

On the whole, therefore, whether the spirit of territorial aggrandisement,'

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disement, or the mortal plague of slavery, or the powerful spread of the coloured population, or the wide conflicts of commercial rivalries, shall dissolve the federation or not—whether it is to exist as one great people, or as several and independent States—we feel a strong conviction that the American commonwealth must—as it attains a higher degree of civilisation, and a richer moral culture—admit into its institutions, as every other people in the history of the world has been obliged to do—a fairer balance between property and population, and something *equivalent* to the aristocratic principle which steadies and regulates the popular impulses of the rest of mankind.

Providence only knows by what means, or after what struggles this may be accomplished; but, if we are not altogether mistaken in our estimate of the unconquerable propensities of human nature—sooner or later, come it will!

ART. IV.—*The Lives and Exploits of Banditti and Robbers in all Parts of the World.* By C. M'Farlane, Esq. London. 1837. (No. LXII. of the Family Library.)

THE republication of this work in a cheap duodecimo form, by the editors of the Family Library, is an evidence of the popularity and entertaining nature of its contents. The author, from his own account, was admirably calculated to deal, '*con amore*,' with his subject. One of the dreamy visions of his early boyhood was the fancy that he might become 'a captain of bold banditti, with a forest more leafy than Ardennes for his haunt, and a ruined abbey, or castle, or inapproachable cave for his home, with followers so true that they would rather die piecemeal than betray their captain or comrades, and with the enviable finale to every day's perils and adventures of the jovial banquet, the song, the chorus, or recital of their own daring deeds.' (p. 4.) It was long before he could free his imagination from the pleasing enthralments of banditti romance, and strip away the poetic cloak which conceals so much misery, guilt, and nakedness beneath. In his youth he passed into Spain and Italy, 'where brigands by frequent association of ideas became familiar to his mind,' and invested with all the savage picturesque of Salvator Rosa, amid scenes as wild and fearful as themselves. He arrived in Italy, as he tells us, with his head full of Mrs. Ratcliffe (p. 92)—'a country where his brightest days have been passed, for he can never hope to retrace the pleasant period of life between seventeen and twenty-seven.' (p. 207.) He resided principally in the delicious provinces

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provinces of the south, which he calls 'the land of brigandage *par excellence*.' 'He repeatedly visited the wildest parts of that country, and possessed himself of some curious details, which induced him to collect his own materials, and, by uniting them to the *authentic* statements of others, to produce, for a winter evening amusement, a sort of history of Italian banditti. He was tempted, as the work grew under his hands, to add a few sketches of some famous robbers of other countries, and the most amusing or characteristic adventures he could find.' He concludes by 'venturing to promise the reader that the first or Italian part will be tolerably complete, and will serve to convey an idea of the manners and habits of robbers generally.' (pp. 2, 3.) This pledge has been so fully redeemed by his own accounts, and by extracts from the interesting pages of Lady Calcott, that the reader is presented with a sufficiently accurate picture of the physical and moral character of the southern Italian brigand. The style is lively and agreeable, and the work, if not distinguished by deep historical or literary research, is at least unpretending. The latter parts, especially those pages which—(compiled from the books of others)—treat on Spanish brigands, are decidedly inferior—incomplete, and in many instances incorrect. As we entertain the same feelings towards Spain as our author has expressed with regard to Italy, we will endeavour to supply these deficiencies and to correct his inaccuracies.* We fear, however, that we shall not perhaps be able to throw into our descriptions the spirit of Mr. M'Farlane, having never in our dreamiest boyhood felt any anxiety either to become a bandit, or even to fall in with the heroes of that vocation.

If the testimony of a poet is to be relied upon in a dry matter of highway robbery, Spain was equally notorious in the days of Virgil † for the prevalence of banditti, as it undoubtedly is in these happy times, when travelling, protected by police and passports, partakes of the manifold improvements of an enlightened age. If, indeed, we are to give credit to the prophecies of Christino patriots and Palmerstonian pamphleteers, this foul reproach will soon be wiped out of the calendar of Spanish crimes. The smooth and frequented roads of the Iberian Utopia, flowery and pleasant paths of safety and knowledge, will be thronged with students hastening to universities, with rich

* Mr. M'Farlane's extract from the 'Young American' is more correct and spirited than that about the 'Archbishop of Gaen' (the Bishop of Jaen), taken from the *compilation* of the late Mr. H. D. Inglis. The tale of Don Francesco (Francisco) is utterly un-Spanish, and we conceive to be a pure fiction. The allusion to the secrets of the Confessional, near Talaveira (Talavera), is too meagre to be worth consideration.

† 'Nec impacatos a tergo horrebis Iberos.'—Georg. iii. 408.

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merchants returning from crowded fairs laden with uncounted dollars, with wealthy agriculturists coming away from busy markets with bags of gold and sacks of grain, the profits and produce of admirable cultivation;—all hurrying along with careless chat and cheery song, unarmed, unguarded, through those tangled woods, rocky defiles, and mountain ravines, now rendered hideous by the ghastly cross on the piled cairn of the waylaid and murdered, where the trembling traveller steals on silently and fearfully as through the valley of the shadow of death. The present state of things will then become a tradition, and as the days of most traditions are drawing near, any allusion to such matter will be considered as irregular. The fact will first be sneered at in the Cortes, then scientifically debated in the royal academy of history, and finally set at rest by an official article in the Madrid Gazette, in which all honest free-Spaniards will be ordered, under the simple pain of death, to treat such statements as malignant calumnies invented by false heretical foreigners, envious of the transcendental glory, wealth, good faith, and order, security of person and property, for which Spain, the first of nations, has been immemorially distinguished. Those, however, who can dismiss from their imagination this brilliant prospect, and are content to read the present, through the illusion-dispelling history of the past, will find few grounds for such sanguine anticipation.

It is a mortifying reflection that man, in his uncivilised state, is an animal of prey. In the savage, the chase seems almost instinctive; robbery is the first step in the march of civilisation, when an enemy or a stranger becomes the game to be pursued, trapped, taken, and destroyed. The first glimmerings of history exhibit an universal prevalence of piracy by sea, and of predatory forays by land. Thucydides, in that introductory chapter which contains so interesting an account of the early state of Greece, represents the coasts of the Mediterranean, from whose wealth-diffusing bosom the current of knowledge and civilisation has flowed into Europe, as infested with pirates whose continual descents harassed the inhabitants, living at that time in poor villages unwalled, unfortified, and utterly unable to resist their attacks. The profession of buccaneer was too powerful and too common to be considered as disgraceful. It was rather one of honour. Τι και δοξης μαλλον, says Thucydides (i. 5.), a sentiment echoed afterwards by Justin, 'Latrocinium maris gloriosum habebatur.' (xliii. 5.) Nor can this be wondered at. The delight of power, the exhibition of personal prowess, the contempt of danger and death, the fierce joys of conflict, 'certaminis gaudia,' the temptation of the sudden acquisition of wealth, always so attractive to half-civilised

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half-civilised nations, the rich spoil won by the bravery of a moment, not the drudgery of years, the glittering banners* and apparel, the lavish expenditure, the liberal largess, the song, and wassail, the exciting tales of successful adventures, the smiles of the fair, and all the joyous life of freemasonry and good fellowship, attractions which could give an unusual animation to the polished Virgil,† must have operated with irresistible force on a wild, warlike, energetic, imaginative population.

It is to piracy that commerce owes its origin. The Phœnicians (the Sallee rovers of antiquity) were the first to discover that the gains of commerce, though smaller, were safer and surer than the plunder of piracy. They became merchants from being buccaneers, and obtained possession of the wealth of their former victims by barter, by exchange, which is no robbery; by receiving in return for a few gaudy baubles and exciting spices the unvalued gold, amber, and emeralds of simple barbarians; by those little advantages, such as watching the turn of the market and other tricks of trade, which even in our days of morality are not altogether laid aside by enterprising speculators, either Jew or Christian, Gentile or European. It was usual in the time of Homer, before the nice distinction between a trader and a robber was quite understood, for the authorities in the official queries addressed to a stranger, to inquire in the most courteous manner whether he were a merchant, or, as the modern Greek pirates do in Don Juan, 'merely practising as a sea attorney.'—λησταρες υπερ αλα,—and this last seems to have been considered rather a flattering supposition than otherwise. (See the Third Book of the Odyssey, verse 73.)

Such was the condition of Phœnicia and Greece, to whom the ancient world owed commerce and those arts which enrich, dignify, and humanise the character of mankind. As it was by the Tyrian fleets that the shores of Spain were first visited, it is in the accounts derived from them, and in those long-surviving customs, the impress of their dominion, that we must seek evidence of the habits and manners of the aboriginal Iberians. Although the careful records of the Phœnicians and Carthaginians were unfortunately destroyed by their conquerors, the then illiterate Romans, with a recklessness of barbarity equalled only by the recent dealings with the archives of Algiers by the *polished* French invaders, yet as the battles for the empire of the sea and

* See the glowing account of their ornamented vessels. Plut. in Pomp.

† 'Omne ævum ferro teritur, nec tarda senectus
Debilitat vires animi, mutatque vigorem:
Canicie galeâ premimus, semperque recentes
Convectare juvat prædas et vivere rapto.' Æn. ix. 609.

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of the world were subsequently fought on the plains of the Peninsula, such a theme was the chosen subject for the poet and historian in after times more favourable to literature. We are thus enabled to collect from their works a sufficient body of evidence to supply the want of earlier information. Strabo, one of the most accurate of ancient geographers, is perpetually alluding to the robbing propensity—the το λῃστικον—of the native Iberians. It is to this cause that he justly attributes (Book iii. 238.) that still-existing trait of Spanish character, a daring in minor adventure, in guerrilla, in petty warfare, and an incapacity to carry through any really great undertaking.

The ancient robbers dwelt principally in the mountainous provinces of Cantabria, Gallicia, and Lusitania, which being of difficult access to regular troops, became an asylum, where they resided unmolested, and carried on the vocation of their forefathers, a life of rapine and violence—

'More patrum, vis raptaque pascunt.'—*Sil. Ital.* iii.

They were all and always armed. Such a defensive condition is, and ever has been, of necessity among all savage and uncivilised people, where the sword of the strongest wins and maintains property; where each takes the law into his own hands; where murder is rife, and revenge, that wild justice, is about every man's path. This custom of going armed is remarked by Thucydides and Tacitus, in the early stages of Grecian and German society. The Iberians, on their old coins, those picture-books of antiquity, are usually furnished with a long spear, resembling that of the Bedouin Arabs, and possibly of oriental origin. This was called by the Romans 'sparus,' 'lancea,' spear, lance, two names of Iberian etymology, and introduced, with the use of those weapons and the Spanish sword, into the language of Italy. The limits of this article compel us reluctantly to pass over the interesting subject of the early weapons of Spain, without which the warlike natives thought life to be of no value, 'arma sanguine ipsorum eariora;' for when they were taken from them by the Romans, they killed themselves in despair, unable to exist without them.* They unanimously refused quarter and life on condition of laying them down, and suffered themselves to be cut to pieces rather than give them up, while the Carthaginian troops, who had no such feelings, surrendered theirs immediately.† The spear continued long to be the national weapon of Spain; it is to be seen in the hands of the peasantry in all the old prints of the sixteenth and seventeenth centuries; but is now superseded by the gun, which meets the eye of the traveller

* Livy, xxxiv. 17.

† App. de Bell. Hisp. 457.

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in all directions, a fearful memento of the insecurity of person and property. A rude musket hangs from the pack-saddle of the muleteer, lies in the furrow of the ploughman, in the hut of the vine-dresser, in the fold of the shepherd, who are all, therefore, in a condition to overpower any unarmed solitary traveller, or to defend themselves from any lurking footpad, or from each other. So just is the remark of Gibbon (ch. 26), that pastoral manners, which have been adorned with the gentlest attributes of peace and innocence, are much nearer of kin to the fierce and cruel habits of military life.

To return, however, to our subject; among the ancient Iberians, the profession of a robber so far from being a disgrace, was considered as more honourable* than that of a merchant or agriculturist, as the Decoit, the brigand of the Bengalese Hindoo, is esteemed superior to the Ryot, or cultivator of the plains. Those among the ancient Lusitanians who were young, bold, and poor, took to the hills, and swept down like an avalanche into the valleys. They were purposely armed very lightly, to enable them to move with rapidity over difficult ground. The Gallicians were so wedded to these habits, that they compelled their women to perform their domestic and agricultural labours: to the latter of which hard tasks the females are subject to this day. The geographical character of Spain was in favour of these lawless pursuits. The Peninsula is hemmed around and intersected in every direction by chains of lofty, broken sierras, between which lie fertile valleys watered by streams and rivers, and teeming with plenty and delight. All mountaineers have a tendency to become robbers; their barren hills supply them scantily with food, while the broad plains, smiling in luxuriance below, offer an obvious booty. These descents into the champaign country, these foràys, these mountain fastnesses, have created the warlike, independent character so peculiar to all alpine districts. The craggy highlands of the Basque and Asturian provinces, the former asylum of the robber, have in all times proved the cradle of liberty, the cherished home of unconquered patriots.

The Romans had no sooner reduced Spain to the condition of a province, than they set to work to put down a state of things obviously opposed to their sound administrative principles of discipline and colonial organisation. This undertaking, in the infancy of society, was always of such difficulty, and of such public benefit, that those who were successful in extirpating beasts of prey and men of rapine, were honoured as demigods and benefactors to the human race (*ωυεργετεις*). The allegory of subject-

* Το καλλιστον. Plut. in vit. C. Marii, s. 6; Cæsar de Bell. Gall. vi. 21.

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ing bears and panthers to a yoke, evidently points out the dominion obtained by master spirits over violent brutal force, for knowledge is power. Thus the poets and mythological fabulists (the historians of those early periods) have immortalised their Hercules as a great abater of nuisances, a destroyer of hydras and monsters, and a slayer of robbers; who was rewarded, after having killed the brigand Saurus, with the hand of Omphale the queen of Lydia.

The Romans, in spite of all their dogged, impliable resolution, never could put down robbery in Spain, although they succeeded in doing so in other countries. It was occasionally effected in some one province or another by the exertions of some particular governor. We are informed by Plutarch, that Caius Marius, who was no trifler, was 'said' to have cleared a part of Spain of robbers. It was always considered a great achievement: and when the Prætor Manlius subdued Bergium (Berga, in Catalonia), the head-quarters of some robbers, with fire and sword (as the Conde de España did the same locality in 1826, and Mina in 1834), the Senate decreed a general thanksgiving for three days. The glories of the imperial Augustus were summed up by Velleius Paterculus in the astounding fact that 'Spain by his exertions *was even free* from robbers' —'etiam latrociniis vacaret.' The irruption of the Teutonic races into Italy and Spain, in the third and fourth centuries, put an end to these laudable efforts. The foreign check once removed, the Spaniards relapsed, as they always have done and always will do, into their pristine habits; indeed, even when awed by the presence of Roman legions, as we learn from Appian, on the least opening or insurrection, the country was instantly filled (as it is at this moment) with armed bands of independent freebooters. This tendency was not likely to be checked by the German invaders, who emigrated from their vast forests and cheerless homes for the very purposes of forage and plunder in the fertile south; whose ancestors gloried in such pursuits, deemed the manly and fitting occupations of their ingenuous youth, and calculated to eradicate habits of effeminacy and indolence. Saint Isidore, the Gothic archbishop of Seville, writing in the seventh century, describes the Catalonians as entirely devoted to robbery and fighting. (Etym. ix. 2.) The cognate propensities of Iberian and Goth amalgamated most readily in the Spanish character, nor were they dissevered by the Moors, the new masters by whom the Peninsula was soon afterwards overrun. The descendants of Ishmael, of the wild Arabs, whose hand has ever been against everybody, whose name among the sacred writers is as synonymous with robbery as that of the Iberian was amongst the Romans, brought with

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with them their oriental habits into the congenial climate of Spain. The efforts of the polished Abderahman, the powerful monarch of Cordova, were never able to suppress the banditti of Andalusia.

It is needless to enlarge on the existence of the evil during the troubled period and continued border warfare, in the prolonged struggle between the Spaniards and their Saracenic invaders. Such a contest would have been sufficient of itself to generate irregular habits, among nations less disposed to such delinquencies than the descendants of Iberian and Gothic free-booters. We do not therefore perceive any amendment or alteration when the Moorish deluge was beaten back from the mountain barrier of the Asturias, and the Gotho-Spaniards gradually recovered the provinces of their ancestors. Accordingly, we find in the tenth and eleventh centuries that the Peninsula was divided into separate kingdoms frequently at war with each other, with the bitter rivalry of neighbours, in addition to their common struggle against the Moors. These independent states offered an asylum to all deserters from contiguous provinces, to all outlaws, to those under ban, the raw material of all banditti, 'gli banditi,' to all those who thought with Tacitus's old Germans that bread ought to be earned by blood and not by the sweat of the brow. These bands, serving without system, discipline, or organisation, armies of caprice or impulse, followed the banner of some favourite guerrilla chieftain or Condottier, never wanting in Spain in times of trouble, whether a Viriatus or Sertorius, a Hafila or a Hatzum, a Cid, a Mina, or an Empecinado. Then came the age of chivalry and romance. The knight-errants, alas! were too often robbers on a large scale. They had too frequently no fixed standard of morality, nor made any clear distinction between the *meum* and *tuum*. The certain knightly gallantry, though maintained almost exclusively among themselves or their own caste, which gilded over the vicious principle, did but furnish an additional fascination to an example so dangerous to the bulk of a people, well disposed in that respect to become their imitators. Notwithstanding the professions of these reformers on horseback as to redressing all possible evils, the highways appear to have been almost impracticable to the clergy and merchants, those conservative sons of peace and wealth.* In the bankerless twelfth century so great was the difficulty of transmitting money from Spain to Rome (which was generally done by pilgrims † returning

* Historia Compostellana, pp. 262, 266, 269, 272.

† The same districts so late as the seventeenth century were so infested 'by theeves by land, called bandoleros, and pyrats on the sea-side,' that Howell states "the

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turning from Santiago), that for every ounce of gold brought safely to the treasury of St. Peter, a year's indulgence was granted to the soul of the bearer by the infallible pontiff, to whom no heresy was ever so odious and damnable as irregularity in the payment of ecclesiastical dues. Arragon and Catalonia, frontier provinces, were particularly infested. The armed laity, who were incipient political economists, objected to the exportation of bullion, and though very superstitious and amenable to the church, were more influenced by the *auri sacra fames*—a hunger which they did not consider less orthodox than the equally pious Arabs, who seldom scruple to plunder the religious caravans of Mecca. The country is described by a contemporary clergyman * as 'a den of thieves; yea, a tabernacle of demons'—spelunca latronum, imo tabernaculum dæmoniorum. His reminiscences of the anxieties and dangers of travelling through these provinces, the then Scylla and Charybdis of Spain, made him shudder when writing, although after a long interval of years:—'Quantum verò corporis mei laborem, quantamque animi mei anxietatem in hâc Charybdis evasione passus fuerim, cùm recordor, vivit Dominus! animâ meâ intra mêmet ipsum totus contremisco et contremiscens exhorresco.' The same melancholy tale is told by every native annalist, and echoed by all foreigners, who, like our quaint old Daunce,† vituperate 'the naturall disposition to robberie in the maiden yeares of Spain.' That promising damsel has since attained to a vigorous puberty; at least Philip V., when he went there in 1706, talked of 'cette infame Catalogue, où l'on ne fera pas un pas sans trouver des buissons pleins de cette canaille enragée.' ‡ The union of the crowns of Castille and Arragon under Ferdinand and Isabella, and the final conquest of Granada in 1492, afforded that crafty monarch (the combined Louis XI. and Henry VII. of Spain) both leisure and power to attempt the reform of so crying an evil; nor can there be a surer proof of his influence and sagacity than the introduction of a system of police, which is always a matter of great difficulty whether in free or uncivilised societies. Ferdinand established a patrol association, called 'La Santa Hermandad,' the Holy Brotherhood, for religion was then mixed up with all the concerns of life: they were armed with most ample powers to pursue, seize, and put to death all robbers, without any regard to any other tribunal or jurisdiction, either royal or peculiar.

"the safest way to passe thro' is to take a bordon and the habit of a pilgrim." Let. xxii. The legal privileges of Spanish pilgrims led to so many abuses that Phil. II. in 1590 was obliged to prohibit all Spaniards from assuming the dress. Recop. l. i. tit. ii. L. 27.

* Historia Compostellana, ut supra.

† Brief Discourse on the Spanish State. By Ed. Daunce. 1590. p. 4.

‡ Mémoires de St. Simon, iii. 235.

Indeed

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Indeed one of the secret objects of the institution was to break down the numerous private and ill-exercised jurisdictions of the nobles, which were exercised with great partiality and manifold injury to public justice. The Holy Brotherhood, like the Holy Inquisition, did not bear the sword in vain; they laid the axe to the root of the tree with that recklessness of human suffering and life which is common to all Spaniards when decked with brief authority; they inflicted death in a particular manner by shooting with arrows, 'muerte de saeta.' These are the arrows which rang in the ears of Sancho Panza, 'sus saetas me zumban.' The criminal was affixed to a pole, which was forbidden by two express laws* from being made in the form of a cross. This peculiar execution explains the frequent occurrence in early views of Spanish cities of those St. Sebastian-looking figures hanging on poles, and transfixed with arrows—a picturesque bit in a Spanish foreground—an indication of a land overflowing with law and justice, or, as the Irish traveller said when he saw a man hanging on a gibbet, a sign of civilisation and of the march of intellect. The members of this holy alliance, now rather an unpopular name, were not viewed with much complacency by the turbulent and destructive of those days; and without doubt were in many instances as great rogues as those whom they were sent to catch. Cervantes (Don Quixote, i. 45) calls them 'gangs of thieves.' Certainly they were neither tea-totalists, nor even members of a temperance society, for Mendoza † says 'that for a bribe or a pitcher of wine they would swear to anything.' All this swearing and shooting was in vain, and robbery prevailed in the land, if we are to credit the contemporary novels and dramas, those true memorials of Spanish manners. If any real improvement ever took place, it was under the mild rule of the Bourbon monarchs, during that century of peace which preceded the most remarkable convulsion which has ever disorganised the moral world, the French Revolution.

During the late War of Independence the Peninsula swarmed with armed bands; many of whom were indeed inspired by a sense of loyalty, with indignation at their outraged religion, and by a deep-rooted national hatred to the French,—and proved of infinite service to the cause of their lawful King; but others used their patriotic professions as specious cloaks to cover their instinctive passion for a lawless, and freebooting career, and before the liberation of the country was effected, had in fact become formidable to all parties alike. The Duke of Wellington, with

* Recopilaçion, l. viii. tit. 31. There are no less than fifty-one laws on this Hermandad.

† Gusman de Alfarache, p. i. lib. i. 7.

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his characteristic sagacity, foresaw at the victorious conclusion of the struggle, how difficult it would be to weed out 'this strange fruit borne on a tree grafted by patriotism,' as Colonel Napier (iv. 6.) is pleased to call this most national indigenous produce of the Iberian soil. The transition from murdering a Frenchman to plundering a stranger appeared a simple process to these patriotic scions, whose number was increased by the civil war, by party distinctions and persecutions, and by the subsequent wreck of private fortunes: the bands were swelled with all those who were, or who considered themselves to be ill used—with all those who could not dig and were ashamed to beg. The evil was beginning to diminish during the latter years of the reign of Ferdinand VII., when an advance in social improvement and civilisation, though not rapid, was unquestionably general, before which these lawless occupations give way as surely as wild animals of prey do before improved cultivation. But alas! the sad events which have followed his decease have revived the ancient evils in a more than usual degree of magnitude and hideousness, the first and natural fruits of a foul democracy engendered in a drunken military revolt.

It is a mistake to suppose that during the last years of the late king robbery, though prevalent in some parts of Spain, was extended so generally as was believed here by many members of book-clubs, on the strength of the numerous sketches, journals, and personal narratives, indited by English travellers and published by worshipful booksellers. Their pages teemed with robberies and murders which were never heard of in Spain. Such subjects are like a bull-fight, a *sine qua non* in a Spanish Annual; they admit of much fine writing, are considered as very interesting, abounding in disastrous chances and hair-breadth escapes—all most moving incidents, which affect the reading public; who, moreover, are pleased by the perusal of *authentic* accounts which tally with their own preconceived ideas of Spain: no man likes to have his settled opinions shaken or contradicted, and those authors are the most popular who put the self-love of the reader in good humour with his own stock of knowledge. Having travelled over almost every part of Spain, and in every possible manner, from the years 1830 to 1833, we will venture, although at the risk of our popularity, to assert, that those who took the commonest precautions, and provided themselves with escorts in notoriously dangerous districts, might journey on alive and unscathed, although be-bagged, be-bandboxed, be-baggaged, and encumbered with nursery-maids, children, and all those impediments which both offer temptation to robbers, and prevent

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vent concealment or rapidity of movements. Such provident travellers may turn a deaf ear to the tales of terror which they will be told in every village by the credulous, timid inhabitants; they will be congratulated on having passed such and such a wood, and will be assured that they will infallibly be robbed at such and such a spot a few leagues onward. We have always found that this ignis fatuus, like the horizon, has receded as we advanced; the dangerous spot is always a little behind or a little before the actual place—it vanishes, as many difficulties do, when boldly approached and grappled with. The public conveyances at that time were seldom attacked.* It was officially stated in the Madrid Gazette for Sept. 1, 1832, (which, however, must be taken *cum granô salis*) that in a period of thirty months previously, only 22 cases of diligence robbery had occurred in 3780 journeys, which, on an average, would give one robbery for every 170 journeys. The 'Young American,' it is true, was robbed in the diligence on his road from Barcelona to Madrid, and again from Madrid to Seville, the same person in two successive journeys. Mr. Babbage's machine could hardly calculate the odds against such a predestined martyr. However, Mr. Slidell describes these scenes so inimitably † that his readers must hope that he may have the good luck, whenever he travels again to any Spanish Jericho, to fall among thieves, *pro bono publico*. The young American, it is to be observed, was then travelling through Valençia and Andalusia, provinces notorious for these untoward events; for in the industrious, thickly peopled, and less Moorish districts of the north-west of Spain the natives themselves had abated the nuisance.

It was partly owing to the comparatively rare occurrence of robbery in the Castilles that the government residing at Madrid showed such an habitual apathy to so great an evil; for it is one of the peculiarities of Spanish character to undervalue and despise dangers when at a distance, and to be terrified and demented by their presence. Robberies in the vicinity of the capital are generally got up when some prize is expected on the road: those who have much to lose never should travel in the dusk without an escort (which is seldom denied to whoever can afford it); those who do so, and chance to be robbed, will meet

* The mails and diligences of Spain were in every respect superior to those of France; as there are no post-horses organised on any road except that from Madrid to Irun, they are by far the best modes of travelling, and so respectable that the Infante Don Francisco, the king's brother, took his family by the diligence on a summer's excursion.

† The affair at Amposta (vol. i. p. 86) is related with equal spirit and truth. We were driven by the site in 1831, by the brother of the murdered Pepito. The robber scenes of Huber are admirable, especially the descriptions of Los Niños de Esija and Jaime el Barbuto de Crevillente.—*Skitzen aus Spanien*, vols. i. and iii., a work which has been well translated by Colonel Crauford.

laughter

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laughter instead of redress. M. D'Oubril, the Russian ambassador, was robbed and well beaten near Madrid, which furnished much joking to King Ferdinand and the corps diplomatique. Don Jose O'Donnell, the Captain-General of Old Castille, was incautious enough to dismiss his guard near the capital itself, out of delicacy to the jurisdiction of the Madrid authorities; he was waylaid and robbed close to the gates, and laughed at afterwards. This local autocrat was made to lie down in the snow at the awful command, 'boca abajo! boca a tierra!' which will take no denial. The best escort are the Miguelites, not partisans of Don Miguel, but a modern Santa Hermandad, so called, we have heard, from Miguel de Prats, one of the armed satellites of Cæsar Borgia. They are composed of picked young men on foot, a dismounted gendarmerie; they are well armed with sword, gun, and a cord in their sashes for securing their prisoners, the same which the Greek klepts had to bind their Turkish captives; a single pistol* is stuck behind in their girdles, in the position in which the dagger was formerly worn. They are on a par with the robbers in activity and local knowledge; and hunt them, like stoats, poachers, or other vermin, with a true game-keeper spirit. The robbers fear and respect them—so we were assured by the great Jose Maria himself, who treated the royalist volunteers with contempt, and disregarded the regular troops, who on their part disliked the pursuit as unmilitary, and leading neither to glory nor promotion; in truth, they seldom succeeded in clearing any infested district. It must be confessed that many stories were told of dollars being placed by invisible hands in knapsacks and nose-bags,—little detentions which occasioned the soldiers, like Espartero when in pursuit of Gomez, *sometimes* to arrive a little too late—after the birds were flown.

We have, we trust, sufficiently made good our position that the profession of robber has from time immemorial had a peculiar charm for the lower orders of Spaniards. It prevailed before the late unhappy revolution, chiefly in Valencia and Andalusia,† those beautiful and delicious districts, those favoured regions of earth, over which the Moors imagined heaven to be suspended. The former (the old Celtiberia and Provincia Tarraconensis of

* The use of the pistol is rare in Spain, the land of Pistoles. The very making them was prohibited in 1558 by Philip II., in consequence of the number of treacherous murders committed with them; no persons whatever were allowed to carry them. Charles III., in 1761, embodied all these laws into one decree, and permitted gentlemen, 'hidalgos,' to use them in holsters. The lower classes of Spaniards rather despise the pistol.—See the Laws on Arms. Recopilacion, lib. vi. tit. 6; Leg. 8, 12, 13.

† Bœtica. The name is derived, by Santa Teresa, a greater authority in Spain than any Humboldt or Rennell, from Beth=blessedness.—*Cadiz Ilustrada*, i. 16.

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the Romans) was always notorious for the savage fierceness of the inhabitants; the Valencians, to this day, bear the laughing-hyena character of false cunning and treacherous cruelty mixed with a dissipated and frivolous lightness—

'So blithe, so smooth, so gay,
Yet empty of all good.'

Their habits and character, when not Celtiberian, are completely Moorish. Andalusia, the Elysian Fields of the authors of antiquity,* the last stronghold of the Saracen, presents a combination of geographical and moral circumstances highly favourable to these lawless pursuits. This rich province contains some of the largest and most wealthy cities of Spain, Cordova, Seville, Cadiz, Xerez, Gibraltar, Malaga, and Granada, in constant communication with each other; for where there is neither traffic nor travel robbery can never thrive; a circumstance to which Estremadura owes its comparative security. The character of the country presents a contrast of the richest cultivation and the most untamed nature—trackless mountains, wide plains covered with thick brushwood, a scanty population, and villages scattered far apart from each other. The robber, concealed on the heights, watches all who approach, himself unseen; he scents from afar, as Gil Blas says, the money in the traveller's pocket; he never attacks him except when the odds are in his favour,—thus a strong party may pass through the very midst of an ambuscade and be utterly unconscious of their immediate danger. The robber dislikes powder and shot as much as the honest man, and has the additional disadvantage of fighting with a halter round his neck. He, from long experience and familiarity with danger, knows well what danger is, and accordingly fears and detests nothing so much: he seeks to take every unfair advantage against his enemy; and although when he is forced he will fight, and most desperately, yet he will endure any hardship and adopt any stratagem rather than do so unnecessarily: he is not actuated by any nice feelings of a point of honour, which renders the very suspicion of fear such a disgrace to the sensitive soldier, that opportunities of self-exposure and of braving unnecessary danger are almost sought for with a chivalrous affectation. These rocks and wild wastes, which afford him a lair, present a ready retreat when pursued. The small landed proprietors are either his sincere friends or are compelled to assist him; they are exposed to his vengeance, which is as terrible as sure—their cattle are carried off, their farm-houses and crops burnt; while, on the other hand, services, shelter, and information are generously recompensed. The robbers have spies in all directions, especially in

* Homer, Od. δ. 568; Strabo, iii. 203, 210.

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the small inns or ventas, whose keepers, often their confederates, worm out from incautious servants the plans of their masters. A genuine Spanish muleteer, an animal *sui generis*, is cased in triple mistrust; a single question awakens all his suspicions; and he either evades the *impertinente curioso* with such a *curiosa felicitas*, that it is clear words were given to *him* to conceal his thoughts; or saves his doubloons by adhering to the precept of the Koran,—'If speech be silver, silence is gold.'

A still greater cause for the prevalence of the evil in Andalusia is the vicinity of Gibraltar, that hot-bed of contraband, that nursery of the smuggler, the *prima materia* of a robber and murderer. The financial ignorance of the Spanish government calls in the smuggler to correct the errors of Chancellors of Exchequers:—'trovata la legge, trovato l'inganno.' The fiscal regulations are so ingeniously absurd, complicated, and vexatious, that the honest, legitimate merchant is as much embarrassed as the irregular trader is favoured. The operation of excessive duties on objects which people must, and therefore will have, is as strikingly exemplified in the case of tobacco in Andalusia, as it is in that, and many other articles on the Kent and Sussex coasts: in both countries the fiscal scourge leads to breaches of the peace, injury to the fair dealer, and loss to the revenue; it renders idle, predatory, and ferocious, a peasantry which, under a wiser system, and if not exposed to overpowering temptation, might become virtuous and industrious. A deep-rooted hatred to the restrictions of excise is almost natural to the heart of man. In Spain the evasion of such laws is only considered as cheating those who cheat the people; the villagers are heart and soul in favour of the smuggler, as of the poacher in England; all their prejudices are on his side. Some of the mountain curates, whose flocks are all in that line, in their sermons deal with it as a conventional, not a moral, crime. The Spanish smuggler, so far from feeling degraded, enjoys in his village the brilliant reputation which attends success in daring personal adventure, among a people proud of individual prowess; he is the hero of the Spanish stage; he comes on equipped in the full costume of the Andalusian 'majo' (dandy) with his 'retajo,' his blunderbuss in his hand; he sings the well-known seguidilla, 'Yo! que soy contrabandista! yo ho!' to the delight of all listeners from the Straits to the Bidassoa.

The *prestige* and fascination of such a theatrical exhibition, like the 'Robbers' of Schiller, is enough to make all the students of Salamanca take to the high-road. The contrabandista is the Robin Hood, the Turpin, the Macheath of reality; those heroes of the old ballads and theatres of England, who have disappeared

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peared more in consequence of enclosures, rapid conveyances, and macadamisation, (for there is nothing so hateful to a highwayman as the sight of a good broad turnpike highway,) than from fear of the prison or the halter. The writings of Johnson,* Fielding, and Smollett, the recollections of many now alive of the dangers of Hounslow Heath and Finchley Common, recall scenes of life and manners from which we have not long emerged, and which, we fear, will with difficulty be corrected in Spain. The contrabandista, in his real character, is welcome in every village; he is the newspaper and channel of intelligence; he brings tea and gossip for the curate, money and cigars for the attorney, ribands and lace for the women; he is magnificently dressed, which has a great charm for all Moro-Iberian eyes; he is bold and resolute—'none but the brave deserve the fair;' a good rider and shot, he knows every inch of the intricate country, wood or water, hill or dale; in a word, he is admirably educated for the high-road—for what Froissart, speaking of the celebrated Amerigot Tetenoire, calls 'a fayre and godlie life.'

Robbery is of such antiquity and importance in Spain, that, although the Spaniards are little given, like the French, to classification, the different grades are as clearly separated and defined as in a matter of science or of heraldry. First and foremost in honour and renown comes the 'Ladron,'† the robber on a great scale, 'en grande,' the grandee of the first class—those great men who plundered poor Apuleius of his gains near Larissa, and left him stripped to the skin of everything, 'a vastissimis latronibus omnibus privatus' (Met. i. 6.); these Ladrones are regular organised bands of brigands, mounted on the fleetest horses,—always in the field, and commanded by one leader, Gefe—λησταρχος. The second class is the 'Salteador,' from 'saltus,' a wood, or 'saltar,' to leap, a robber who, as the term implies, pounces like a tiger from a forest on the unsuspecting traveller; they are the robbers described by Strabo (iii. 247.) as lurking in the woods near the towns—επι κακω, for no good, as he sagaciously remarks. The name Salteador, so common in the pages of Cervantes and Quevedo, is becoming almost obsolete; this class is more cruel and cowardly than the Ladron, who, as he is great, is more generous and merciful. They are the royalist volunteers, not the regular troops of the system; they assemble together for particular occasions, and when their object is accomplished return

* History of Highwaymen, London, 1734.

† The Latro of the Romans was the body-guard of the emperor. The name has become one of honourable and distinguished families in Spain. P. Latro was a poet of the fourth century. The Ladrones de Guevara are still a very illustrious house; the General Santos Ladron was the first victim massacred by the Christinos.

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to their ostensible vocations in their respective villages. A far inferior species is the 'Ratero,' the rat, who is as despicable in the eyes of a Ladron as a political rat is at Brookes's or the Carlton. The vocation of the Raterillo, or nibbling reptile, is even lower; it is the refuge for those destitute galley slaves who manage to escape from their chains, until they rise by merit and good conduct to the higher classes of their profession, as the grovelling grub bursts into the glory of the butterfly. The smuggler, when he loses his cargo, at once becomes a Ladron, and acts most prudently in so doing, for he is far less an object of the penalties of the law: no mercy is ever shown to the smuggler who robs the revenue of the king, while the brigand, who only plunders the subjects of his majesty, has in his favour all the innumerable chances offered by the apathy or venality of the authorities.

Such was the origin of the renowned Jose Maria: what the Spanish Ladron is, will be best understood by a brief account of this dreaded man, the beau ideal of his order, a perfect personification of the το λησττικον, the robber principle of Strabo. As it was our fate for some years to ride many a long league through his wild districts, sometimes in defiance of him, and at others in alliance with his band, and under his immediate protection, our account may be relied upon; indeed we might say—

'Non meus hic sermo, sed quem præceperat ipse.'

Jose Maria de Hinojosa was born at Hauja, a Moorish-built village near Benamegi, a Spanish Monaco,* where, according to the local proverb, people eat, drink, and do no work,—'Hauja, donda se come, se bebe, y no se trabaja,' that *ne plus ultra* of Spanish felicity in this transitory life. He began the world as a small farmer; but, proving an indifferent agriculturist, took to smuggling tobacco in preference to cultivating corn; his cargo having been seized three times by the preventive service, 'los carabineros,' he turned robber in 1823. Fortune smiled on his new career; at the commencement he was surprised in a house near Moron by some troops, leaped out of a window, scaled a wall, encountered on the other side a soldier and a mounted officer, wounded the one, shot the other dead, vaulted into his vacant saddle and galloped up a hill, where, when out of the reach of the rattling musketry, he paused, reloaded his guns, and determined to make for Ronda. He reached it safely, and a sum of money, which he had found concealed in the saddle of the officer, enabled him to form a small band of companions, which eventually consisted seldom of less than twelve, and often

* Son Monaco sopra uno scoglio,
Non semino et non ricoglio,
Eppure mangiar voglio.

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of more than twenty well-mounted men. He exercised for ten years a more absolute sway over Andalusia than did the absolute king, and his civil and military authorities, who, having in vain set prizes on Jose's head, were compelled at last to come into his terms and grant him a pardon, a salary, and the command of a mounted patrol of his former companions, with a commission to put down all other robbers—according to the sound maxim of setting a thief to catch a thief. Compromise has long been a principle of Spanish policy; thus in the days of Augustus Cæsar, a reward having been offered to whoever would take the brigand Corocota,* dead or alive, he presented himself to the emperor, who gave him the stipulated sum and pardoned him, to the delight and admiration of the Iberians. Jose Maria himself stated boldly that the alliance he had formed with the king of Spain was based on the fears of the government, who were aware that he had been in treaty with Torrijos and the rebels in Gibraltar, to whom he undertook to furnish one hundred well-mounted and well-armed horsemen. Spanish history has recorded many other brigands who have risen into dangerous importance through the grades of robber, partisan, and patriot. Viriatus, for example, commenced life as a hunter, became a robber, and then a chief—'ex venatore latro, ex latrone dux.'†

Jose Maria was the great unknown and unseen; he came when he was the least expected, excentric in his path, and destructive in his progress. This mystery, rapidity, and ubiquity added a sort of superhuman colour to his character, and riveted his hold over the susceptible imaginations of his countrymen; his name rung in the ears of all who passed through his Edom, and when he became an honest man (as all who get into office under kings or *queens* are everywhere considered to be *by courtesy*), the towns emptied themselves to gaze upon him. 'He was wondered at, that men would tell their children, this is he.' Even the better classes of Spaniards were curious to see him, while to foreigners he was as interesting as a bull-fight, or any other peculiarly Spanish attraction: and in truth it is very difficult in mature age to shake off the impressions created by the heroes of bandit adventures which both amused and alarmed us in early youth. He was then in his thirty-third year, in the prime of manhood, of a vigorous constitution, patient of fatigue and self-denial—qualities necessary to make a great leader: although short in stature his figure was compact and square, his body somewhat large for his legs, which were slightly bowed, indicating strength and activity; his left hand had been shattered by the accidental discharge

* Dion. Hal., 56.

† Florus, ii. 17, 15.

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of his gun, a wound cured by himself during twenty-five days, passed always on horseback; his lips were thin, compressed, and marked by a determined expression; his eyes grey, with a good-natured character when pleased, but soon relapsing into an uneasy, twinkling, hawk-like cast of suspicion, the habit engendered by a long consciousness of guilt and mistrust. His dress was plain, compared to that of his comrades, who engrafted on the old Iberian tastes the Moorish love for glitter, embroidery, and ornaments, of which splendour, not fashion as among ourselves, is the predominant principle, particularly in their arms. Jose Maria furnished to his companions the richest costumes and most gorgeous weapons with the same generosity or policy that induced Sertorius and Viriatus to do precisely the same thing, while they were remarkable themselves for their plainness of costume—as indeed the *Latro Maximus* Napoleon was among his befeathered and bespangled Murats and Poniatowskis. So difficult are national habits to be eradicated, so immutable are the chords by which the human heart is to be moved. Jose Maria considered these gaudy dresses to be in bad taste, 'muy charro;' yet among us plain-clad Britons, even Jose's plainness will appear magnificent. He wore breeches of silk net, fitting tightly, and studded with rows of conical silver buttons; his gaiters were of the richest Ronda embroidery; his sash was of purple silk; his handkerchief, fastened once round his bluff throat, was passed through a diamond ring; his broad chest was decorated with silver images of the Virgen de los Dolores of Cordova, and the holy Veronica of Jaen.*

The horse of Jose Maria, 'Mohina,' was ill-favoured, but indefatigable. The equipment was black embroidered with white; his high-peaked saddle, the 'albarda,' was covered with the usual 'zalea,' the fleece, which was dyed blue, though this Spanish

* The native districts of the lower classes in Spain may be generally known by their religious ornaments. These talismanic amulets are selected from the saint or relic the most honoured, and esteemed the most efficacious, in their immediate vicinity. The 'Santo Rostro,' or Holy Countenance of Jaen, is worn all over the kingdom of Granada; the rosary of the Virgin is common to all Spain. The following miraculous proof of its saving virtues is frequently painted in the convents: A robber was shot by a traveller and buried; his comrades, some time afterwards passing by, heard his voice,—'this fellow in the cellarage;'—they opened the grave and found him alive and unhurt, for when he was killed he had happened to have a rosary round his neck, and Saint Dominick (its inventor) was enabled to intercede with the Virgin in his behalf. This reliance on the Virgin is by no means confined to Spain. Mr. M'Farlane remarks that the Italian banditti always wore a small silver heart of the Madonna, and that the mixture of ferocity and superstition is one of the most terrific features of their character. (p. 156.)

Saint Nicolas is, however, the English 'Old Nick,' and in all countries the patron of schoolboys and thieves. 'Saint Nicolas's clerks.' 'Keep thy neck for the hangman, for I know thou worshipest St. Nicolas as a man of falsehood may.' 1st part Henry IV. act 2. Santu Diavolu, Santu Diavoluni, Holy Devil, is the appropriate saint of the Sicilian bandit.—M'Farlane, 216.

argonaut

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argonaut was well qualified to be a knight of the golden fleece from the quantity of that metal which he had fleeced from the king's lieges. Jose bound a red handkerchief round his brow, and sat with a business-like look, the picture of those qualities which enable the possessor to obtain sway over the minds of others. His two blunderbusses hung on each side; on a criticism being made on the rudeness of one of the locks, he simply replied, 'Pero con ese maté al oficial'—true, but with this I killed the officer. There was something characteristic in his pleading guilty to the minor offence, the self-conviction of homicide, in order to vindicate the faithful old gun, the companion of ten years' danger. It was an *argumentum ad hominem* which would have convinced Joe Manton himself. Nor was he ever to be trifled with on these matters: we remember a person rather incautiously playing with edged tools in joking him about his past life, when Jose turned sharply upon him, knit his brows, and replied, 'Hombre, burlo yo con mi escopeta!'—Sirrah, I joke with my musket!

Jose Maria was born to be a leader of wild adventurers; he had all the vices and virtues of a chieftain of the middle ages; he was a man of few words; but his bite was always worse than his bark, and what he did say was of that terrible untaught eloquence of the hour of need, when time is brief, and sentences must be condensed into words. According to his own account, he managed his band by never permitting any familiarity with himself, by always being the foremost in danger, by a careful attention to all their fancies and wants, and an impartial distribution of plunder—'entre lobos no se comen,'—there is honour among thieves. He slept but little, and always armed and apart. It is singular how exactly his conduct coincided with the habits of Viriatus, as described by Appian. (Bell. Hisp., 502.) He never permitted any disputes, exacted implicit obedience, always took the initiative, and never imparted his plans or allowed them to be questioned. He acted on the same principle as the Roque Guinart of Cervantes, and the Corsair of Byron. Jose knew nothing of these worthies, but was guided only by instinct; his practice, however, confirms the theoretical truth of the ideal characters of novelist and bard, and does credit to the accuracy of their conception of bandit nature. Jose Maria always treated the fair sex with respect, sometimes with delicate attentions—notwithstanding the assertion of Shakspeare that 'beauty provoketh thieves sooner than gold:' thus he provided a fire in a cottage for the accommodation of the wife of a receiver of taxes, while he rifled her equipage, and at the conclusion presented her with one of her *own* necklaces as a keepsake and a token of his regard —an

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—an anecdote which he delighted in telling. These treasurers are considered by all Spaniards, and justly, to be as great thieves as they were in good old times, when Euclio prayed Apollo to transfix them with his arrows, as if the deity had been a provost-marshal to a Spanish hermandad—

'Apollo, quæso, subveni mihi atque adjuva,
Confige sagittis fures thesaurarios.'—PLAUT. AUL. a. ii. s. 8.

To do him justice, Jose Maria, like Ghino de Tacco, immortalised by Dante (Purgatorio, vi. 13), was seldom guilty of violence; both contented themselves with perfectly stripping travellers in a most gentlemanlike manner, although, when their courteous demands for purses were churlishly rejected, or any resistance was offered, they did not scruple to defend their own lives in *fair action*, as they termed it, by taking those of their opponents. Those travellers who have not about them such a quantity of money as they might reasonably be expected to have on ordinary occasions, considering their condition of life, are generally well beaten by Spanish robbers, who consider an empty purse as a very beggarly companion. The better classes should always be provided, when they travel, with a watch, but the quality is not very material: the robbers have a far nicer tact in exactly defining that degree of respectability which would qualify a person to wear a watch, than in the value of its works or its case. We still preserve as a relic a gilt metal watch, which, having safely accompanied us in a tour through Spain, was ceded for three dollars to an ambassador coming down from Madrid to Granada, and repurchased, after his return, for the large sum of two dollars, which was more than it was worth, 'salvo honore diplomatico.' Both Jose and Ghino were generous, and often bestowed on the poor what they took from the rich, fully atoning thereby in the eyes of the vulgar for the irregular sources of their bounty. A famous Italian robber used to boast that he had done more charity than three convents. Both waged war in the land, and levied contributions like independent potentates; both had a sovereign contempt for petty larceny and footpads, vocations unbecoming the dignity of a ladron.—'L'esser gentile uomo, e cacciato de casa sua, e povero, e aver molti e possenti nemici—non malvagità d'animo hanno condottò ad essere rubatore dellé strade,' said Boccaccio; 'I am joined with no foot land rakers, no long shaft sixpenny strikers, none of these mad mustachio purple-hued malt-worms, but with nobility and tranquillity, burgomasters, and great oneyers.' So wrote Shakspeare, and so affirmed Jose. He was made, as might be expected, a general scapegoat; all acts of undiscovered outrage or of bandit courtesy were fathered upon him. Many tales, in which he never was concerned,

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concerned, have been recorded by others, for he was no Gines de Pasamonte, to indite his own biography. A true trooper of the Deloraine breed, untrammelled with the fetters of spelling, he could barely write his name, although he could *rubricate** as well as any other Spaniard in command, or Ferdinand VII. himself. 'His mark' was a protection to all who would pay him a Rob Roy black mail. He gave a sort of passport, a συμβολον ξενικον, authenticated with such a portentous griffonage as would have done credit to Ali Pacha. An intimate friend of ours, a merry gastronomic dignitary of Seville, who was going to the baths of Caratraca, to recover from over-indulgence in rich ollas and valdepeñas, and had no wish, like the gouty abbot of Boccaccio, to be put on robber regimen, procured a pass from Jose Maria, and took one of his gang as a travelling escort, whom he described as his 'santito,' his little guardian angel. Had his stock in Latin not been of the same orthodox quantity as that of Gil Perez, the good canon of Oviedo, he might have quoted the very words of the Carthaginian in Plautus—

'Deum hospitalem, ac tesseram mecum fero.'—Pœn. v.†

Jose Maria did not long enjoy the honours and advantages of office; he ceased to exist soon after his existence had ceased to be a public nuisance. 'The bloodthirsty man shall not live out half his days.' He had gone in pursuit of four robbers, who had taken refuge in a farm-house; on opening the door he was shot dead by their leader, a native of Loja, and one of his former comrades, Periquillo *el del Colegio*. The prison, in the slang 'la germania' of Spain, is called the college, the university, because, as in England, young offenders, when en-

* The kings of Spain seldom use any other royal signature, except the ancient Gothic *rubrica*, or mark. This monogram is something like a runic knot. Spaniards exercise much ingenuity in these intricate flourishes which they tack on to their names, as a collateral security of authenticity. It is said that a *rubrica* without a name is of more value than a name without a rubrica. Sancho Panza tells Don Quixote that his rubrica alone is worth, not one, but three hundred jackasses (p. i. 25). Those who cannot write rubricate; 'No saber firmar,'—not to know how to sign one's name,—is jokingly held in Spain to be one of the attributes of grandeeship.

† The 'good thief' is a great saint in Andalusia, where his disciples are numerous. A celebrated carving by Montañez, in Seville, is called 'El Christo del buen ladron,'—'the Christ *of* the good thief;' thus making the Saviour a subordinate person. The present Spanish robbers are all good Roman Catholics. In the Rinconete y Cortadillo of Cervantes, a box is placed before the Virgin, to which each robber contributes, and one remarks that he 'robs for the service of God, and for all honest fellows.' Their mountain confessors of the Friar Tuck order, animated by a pious love for dollars when expended in expiatory masses, consider the payment to them of good doubloons such a laudable restitution, such a sincere repentance, as to entitle the contrite culprit to ample absolution, plenary indulgence, and full benefit of clergy. Notwithstanding this, these ungrateful 'good thieves' rarely hesitate to rob their spiritual pastors and masters when they catch them on the high road.

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tered there, are placed under the instruction of able tutors to finish their education. There they become Masters of Arts, and as knowing and initiated as the depraved veterans into whose company they are so judiciously thrown. From such a pandemonium none but evil spirits can come forth. Had Jose Maria lived he would have done something towards the cleansing of the Augean stable of Andalusia; and more, had he been empowered to carry out his plans, which, as he was also a practical man, may be worth recording for the benefit of the home secretaries of Europe. The first step was to arrest at once all the suspicious characters in all the villages, and send them into distant regiments as soldiers; next, to burn down all lonely ventas of bad reputation, that is, places where people are licensed to be drunk on the premises; then to make the curate and local authorities personally liable, and not by fine, which would always be paid by the robbers; to compel the inhabitants of districts in which robberies were committed to make good all losses to travellers; and, above all, his great panacea was to shoot on the spot all persons found with arms who could not give a good account of themselves, a sort of Durango decree. This may appear rather a strongish measure, a Waltham black act; it is, however, quite in accordance with Spanish habits and precedent. The Santa Hermandad, and all active magistrates, paid or unpaid, have always followed the maxim of the Don Ronquillo, the famous alcalde who hung up the constitutional Bishop of Zamora, which was, 'to gibbet all robbers without mercy, the old for what they had stolen, the young for what they would have stolen had they lived to grow old.'* Our Howell describes the 'prudent and vigorous measures' (to use the words put by Lord Palmerston into the king's speech after the murder of Cabrera's mother) of a Catalonian viceroy in 1618:—'He hath taken much pains to clear these hills of robbers, and ther hath bin a notable havock made of them this yeer, for in divers woods as I passed I might spie some trees laden with dead carcasses, a better fruit than Diogenes's tree bore, whereon a woman had hanged herself, which the cynic cryed out to be the best bearing tree that he ever saw.' The sharp practice recommended by Jose Maria was actually put in force with excellent results a few years ago, by an officer named De Castro, who executed his commission with military vigour and unscrupulousness. He, however, was deprived of his command through the means of the Archbishop of Seville, who affirmed that many 'good thieves' were put to death without benefit of clergy.

* Mechior de la Cruz. Floresta Esp., p. 4-6.

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With regard to the cruelty of these summary executions proposed by our Draco robber, at no period of Spanish history has much respect been paid to human life; blood has ever been shed recklessly and profusely, whether of prisoners of war, religious martyrs, or political adversaries. These summary executions are so much in the spirit of the past and the present, that they create little attention in Spain; while the mere perusal is sufficient to make all Europe shudder. Spaniards, after slaking their thirst for blood with hellish energy, relapse into their habitual apathy as coolly as if nothing had happened. Mina, Quesada, Eguia, the Conde de España, and Espartero, however they differed on other points, have all alike administered this savage law on gentlemen of birth and education with greater recklessness than is shown by subordinate authorities to thieves and robbers, who, as long as they have any money, are rarely brought to trial, and, if condemned, seldom put to death. It was always so: the galley slave, when Don Quixote offers him thirty ducats, laments that he had not had the money sooner, or 'he should have so anointed the pen of his attorney, and so enlivened the wit of his lawyer, that he would then have been a free man on the Zocodover of Toledo.' (i. 22.)

An account of the judicial death of one of the gang of Jose Maria will be an appropriate conclusion to these remarks, and an act of justice towards our readers for this long detail of breaches of the peace, and the bad company into which they have been introduced. Jose de Roxas, commonly called (for they generally have some nickname) El Veneno, 'Poison,' from his viper-like qualities, was surprised by some troops: he made a desperate resistance, and when brought to the ground by a ball in his leg, killed the soldier who rushed forward to secure him. He proposed when in prison to deliver up his comrades if his own life were guaranteed to him. The offer was accepted, and he was sent out with a sufficient force; and such was the terror of his name, that they surrendered themselves, *not however to him*, and were *pardoned*. Veneno was then tried for his previous offences, found guilty, and condemned: he pleaded that he had indirectly accomplished the object for which his life was promised him, but in vain; for such trials in Spain are a mere form, to give an air of legality to a predetermined sentence:—the authorities adhered to the killing letter of their agreement, and

> 'Kept the word of promise to the ear,
> But broke it to the hope.'

As Veneno was without friends or money, the sentence was of course ordered to be carried into effect. The courts of law and the prisons of Seville are situated near the Plaça San Francisco,

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which has always been the site of public executions. On the day previous nothing indicates the scene which will take place on the following morning; everything connected with this ceremony of death is viewed with horror by Spaniards, not from that abstract abhorrence of shedding blood which among other nations induces the lower orders to detest the completer of judicial sentences, as the smaller feathered tribes do the larger birds of prey, but from some ancient oriental prejudices of pollution, and because all actually employed in the operation are accounted infamous, and lose their caste, that purity of blood, 'limpieza de sangre,' to which almost a Hindoo* importance is attached in Spain. Even the gloomy scaffolding is erected in the night by unseen, unknown hands, and rises from the earth like a fungus work of darkness, to make the day hideous and shock the awakening eye of Seville. When the criminal is of noble blood the platform, which in ordinary cases is composed of mere carpenter's work, is covered with black baize. The operation of hanging, among so unmechanical a people, with no improved patent invisible drop, used to be conducted in a most cruel and clumsy manner; the details have been admirably described by the Young American (vol. i. p. 340). The wretched culprits were dragged up the steps of the ladder by the executioner, who then mounted on their shoulders and threw himself off with his victims, and, while both swung backwards and forwards in the air, was busied, with spider-like fingers, in fumbling about the neck of the sufferers, until being satisfied that life was extinct he let himself down to the ground by the bodies. Execution by hanging was, however, abolished by Ferdinand VII., who determined that the usual death for civil offences should be strangulation, the 'garrote,' which is certainly more in accordance with the oriental bowstring.

Veneno having been sentenced to be strangled, was placed, as is usual, the day before his execution, 'en capilla,' in a chapel or cell set apart for the condemned, where the last comforts of religion are administered. This was a small room in the prison, and the most melancholy in that dwelling of woe, for such indeed, as Cervantes has well described, is a Spanish prison.† An iron grating formed the partition of the corridor,

* Dr. Spry, in his 'Modern India,' describes the death of some Thugs. When they ascended the scaffold, each having tried the strength of the halter, introduced his head into the noose, drew the knot firmly under his right ear, jumped off the platform, and launched himself into eternity; such, in the moment of death, was the scrupulous attention paid to the preservation of caste. To have been hung by the hand of a 'Chumar' was a thought too revolting for endurance.

† Una Carcel—donde toda incomodidad tiene su asiento y donde todo triste ruydo hace su habitacion.—Prologue to Don Quixote, which was composed in prison.

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which led to the capilla. This passage was crowded with members of a charitable brotherhood, who were collecting alms from the visitors to be expended in masses for the eternal repose of the soul of the criminal. There were groups of officers, and of portly Franciscan friars smoking their cigaritos and looking carefully from time to time into the amount of the contributions, which were to benefit their bodies quite as much as the soul of the condemned. The levity of those assembled without formed, meantime, a heartless contrast with the gloom and horror of the melancholy interior. A small door opened into the capilla, over which might well be inscribed the awful words of Dante,

'Lasciate ogni speranza voi ch' entrate!'

At the head of this room was placed a table, with a crucifix, an image of the Virgin, and two wax tapers, near which stood a silent sentinel with a drawn sword; another soldier was stationed at the door, with a fixed bayonet. In a corner of this darkened apartment was the pallet of Veneno; he was lying curled up with a striped coverlet (the Spanish manta) drawn closely over his mouth, leaving visible only a head of matted locks, a glistening dark eye, rolling restlessly out of the white socket: on being approached he sprung up and seated himself on a stool: he was almost naked; a chaplet of beads hung across his shaggy breast, and contrasted with the iron chains around his limbs:—Superstition had riveted her fetters at his birth, and the Law her manacles at his death. The expression of his face, though low and vulgar, was one which once seen is not easily forgotten,—a slouching look of more than ordinary guilt: his sallow complexion appeared more cadaverous in the uncertain light, and was heightened by a black, unshorn beard, growing vigorously on a half-dead countenance. He appeared to be reconciled to his fate, and repeated a few sentences as by rote, the teaching of the monks: his situation was probably more painful to the spectator than to himself—an indifference to death, arising rather from an ignorance of its dreadful import than from high moral courage: he was the Bernardine of Shakspeare, 'a man that apprehends death no more dreadfully than a drunken sleep, careless, reckless, and fearless of what's past, present, and to come, insensible of mortality and desperately mortal.'

Next morning the triple tiers of the old balconies, roofs, and whole area of the Moorish and most picturesque Plaça were crowded by the lower orders; the men wrapped up in their cloaks—(it was a December morning)—the women in their mantillas, many with young children in their arms, brought in the beginning of life to witness its conclusion. The better classes not only absent themselves from these executions but avoid any allusion to the subject; the humbler ranks, who

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disregard the conventions of society, give loose to their morbid curiosity to behold scenes of terror: this operates powerfully on the women, who seem impelled irresistibly to witness sights the most repugnant to their nature, and to behold sufferings which they would most dread to undergo; they, like children, are the great lovers of the horrible, whether in a tale or in dreadful reality; to the men it was as a tragedy, where the last scene is death—death which rivets the attention of all who sooner or later must enact the same sad part.* They desire to see how the criminal will conduct himself; they sympathise with him if he displays coolness and courage, and despise him on the least symptom of unmanliness. An open square was then formed about the scaffold by lines of soldiers drawn up, into which the officers and clergy were admitted. As the fatal hour drew nigh, the increasing impatience of the multitude began to vent itself in complaints of how slowly the time passed—that time of no value to them, but of such precious import to him whose very moments were numbered.

When at length the cathedral clock tolled out the hour of death, a universal stir of tiptoe expectation took place, a pushing forward to get the best situations. Still ten minutes had to elapse, for the clock of the tribunal is purposely set so much later than that of the cathedral, in order to afford the utmost possible chance of a reprieve. When that clock too had rung out its knell, all eyes were turned to the prison-door, from whence the miserable man came forth, attended by some Franciscans. He had chosen that order to assist at his dying moments, a privilege always left to the criminal. He was clad in a coarse yellow baize gown, the colour which denotes the crime of murder, and appropriated always to Judas Iscariot in Spanish paintings. He walked slowly on his last journey; half supported by those around him; stopping often, ostensibly to kiss the crucifix held before him by a friar, but rather to prolong existence—sweet life!—even yet a moment. When he arrived reluctantly at the scaffold, he knelt down on the steps, the threshold of death;—the reverend attendants covered him over with their blue robes—his dying confession was listened to unseen. He then mounted the platform attended by a single friar; addressed the crowd in broken sentences, with a gasping breath—told them that he died repentant, that he was justly punished, and that he forgave his executioner. 'Mi delito me mata, y no *ese hombre*,'—my offence puts me to death, and not *this fellow*. 'Ese hombre' is a contemptuous expression, and may imply insult. The ruling feeling of the Spaniard was displayed in death against the

* Chacun fuit à le voir naître, chacun court à le voir mourir!—Montaigne.

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degraded functionary. The criminal then exclaimed 'Viva la fe! viva la religion! viva el rey! viva el nombre de Jesus!' All of which met no echo from those who heard him. His dying cry was 'Viva la Virgen Santissima:' at these words the devotion to the goddess of Spain burst forth in one general acclamation, 'Viva la Santissima!' So strong is their feeling towards the Virgin, and so lukewarm their comparative indifference towards their king, their faith, and their Saviour! Meanwhile the executioner, a young man dressed in black, was busied in the preparations for death. The fatal instrument is simple: the culprit is placed on a rude seat; his back leans against a strong upright post, to which an iron collar is attached, enclosing his neck, and so contrived as to be drawn home to the post by turning a powerful screw. The executioner bound so tightly the naked legs and arms of Veneno, that they swelled and became black—a precaution not unwise, as the father of this functionary had been killed in the act of executing a struggling criminal. The priest who attended Veneno was a bloated, corpulent man, more occupied in shading the sun from his own face, than in his ghostly office; the robber sat with a writhing look of agony, grinding his clenched teeth. When all was ready, the executioner took the lever of the screw in both hands, gathered himself up for a strong muscular effort, and, at the moment of a preconcerted signal, drew the iron collar tight, while an attendant flung a black handkerchief over the face—a convulsive pressure of the hands and a heaving of the chest were the only visible signs of the passing of the robber's spirit. After a pause of a few moments, the executioner cautiously peeped under the handkerchief, and after having given another turn to the screw, lifted it off, folded it up, carefully put it into his pocket, and then proceeded to light a cigar

——————— 'with that air of satisfaction
Which good men wear who've done a virtuous action.'

The face of the dead man was slightly convulsed, the month open, the eye-balls turned into their sockets from the wrench. A black bier, with two lanterns fixed on staves, and a crucifix, was now set down before the scaffold—also a small table and a dish, into which alms were collected. The mob having discussed his crimes, abused the authorities and judges, criticised the manner of the new executioner (it was his maiden effort), began slowly to disperse, to the great content of the neighbouring silversmiths, who ventured to open their closed shutters, having hitherto placed more confidence in bolts and bars, than in the moral example presented to the spectators. The body remained on the scaffold till the afternoon; it was then thrown into a scavenger's cart, and led by the 'pregonero,' the common crier, beyond the jurisdiction of

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of the city, to a square platform called 'La Mesa del Rey,' the king's table, where the bodies of the executed are quartered and cut up—'a pretty dish to set before a king.' Here the carcase of the robber was hewed and hacked into pieces by the bungling executioner and his attendants, with that inimitable defiance of anatomy for which they and so many Spanish surgeons are equally renowned—

'Le gambe di lui gettaron in una fossa;
Il Diavol ebbe l'alma, i lupi l'ossa.'

Berni. l. iii. c. 1.*

ART. V.—*Oaths; their Origin, Nature, and History.* By James Endell Tyler, B.D., Rector of St. Giles-in-the-Fields, and late Fellow of Oriel College. London. 8vo. 1834.

MR. TYLER's book is the work of a good and conscientious man, who is more anxious to direct public attention to a very important subject, than to offer any new views of his own. It is rather an historical sketch, not indeed very complete, of the practice of oaths, than a philosophical inquiry into their use and obligation. But he has collected some interesting materials from Puffendorff, Grotius, Heineccius, and other writers on the subject, and will probably have the satisfaction of finding that his work has at least contributed to promote discussion and inquiry.

Every one must be aware that the subject of oaths at the present moment requires very serious consideration. Englishmen cannot forget, that not many years back the most sacred interests of this country were stripped of their ancient securities, and placed under the simple protection of an oath, as a sufficient safeguard—a safeguard which we know from experience has proved wholly futile and useless. Still more recently charges

* A most ancient form of execution took place at Jaen on the 1st of March, 1832. A man was found guilty of the murder of his daughter-in-law: he was hanged in the usual manner, his right hand was then cut off, and his body 'encubado,' that is, placed in a barrel with a cock, a snake, a monkey, and a toad, and thrown into the river. This class of crime was punished by the Iberians (Strabo, iii. 233) by stoning the offender outside the walls of the city. The mode of execution which we have just described is that awarded to parricide by the lex Pompeia (Pandect xlviii. 9). The 'culeus,' the 'parricidale vasculum,' the snake and ape, are thus alluded to by Juvenal—

'Cujus supplicio non debuit una parari
Simia, nec serpens unus, nec culeus unus.'—Juvenal, viii. 214.

The Goths—(St. Isidore, Etym., v. 27. Rerum Crim. B. Carpzovius, p. 1, ques. 8, obs. 1)—continued the Roman law, for it is the greatest mistake to suppose that that consummate system of jurisprudence had perished with the empire, and was only re-adopted after the supposed discovery at Amalfi of a copy of the Pandects.

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have been made and repeated upon individuals, and upon bodies of great eminence—charges which, however they may be softened down by the courtesy of language, cannot amount to less than accusations of a grave offence against the most solemn obligations.

The administration also of oaths has been for many years, especially in this country, employed almost to an unlimited extent, as an instrument of the most important functions of government. It has been used to extort truth in judicial cases—to secure the performance of official duties—to exclude suspected parties from dangerous privileges, by acting as a test of their opinions—to maintain in societies great principles of conduct inviolate, by binding men down to the observance of them—and in a great number of cases, almost to supply the place of a police establishment, and to prevent frauds on the revenue of the country, by placing men in the dilemma of either criminating themselves or risking the crime of perjury. The multitude of oaths imposed for these various purposes has at last startled and alarmed all right-thinking men, and every one ought to rejoice that inquiry is likely to be aroused. It is not merely the common interest of truth which is at stake. But men begin to feel, that when religious sanctions, and the name of the Deity—and not only his name, but his judgments—and those judgments supposed by many to be administered with an immediate providential jealousy over every violation of His honour—that when such solemnities as these are forced into all the details of life, mixed up with its most trivial concerns, and hazarded in the mouths of the least religiously-disposed of men, there is a danger and a guilt both in those who are tempted to irreverence, and those who tempt. 'He that compelleth to swear,' says Chrysostom, 'is more to be punished than he who is compelled.' They have experienced, what all men conversant with human nature soon discover, that the too frequent application of strong excitements is as deadening to the moral, as it is to the physical sense; and that indifference to the obligations of religion has naturally followed an ill-regulated and prodigal appeal to them. Even where no such indifference has been openly professed, it has been found that oaths have often failed in securing the objects for which they were imposed, and that with bad men there is no possibility of framing any form of words, from which an ingenious special pleading may not contrive an evasion. And this evil is perhaps worse than the former; because with no less guilt of perjury, there is less to shock us openly, and more to encourage imitation, and secure impunity. The public mind is infinitely more corrupted by the triumph of subtle cavilling over plain simple truth, than by an open defiance of principle, which can at once be exposed and punished.

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Other feelings have probably conspired to raise a general clamour for the abolition of oaths. There may be men, who still find them an obstacle, not indeed impassable, but still one which they would willingly remove, between themselves and the objects of ambition, which those oaths were established to guard. Even as evidences and relics of an exclusive system, they are obnoxious to many. There are still more persons who object to them as memorials of religion—who profess reverence for the name of God, that they may wholly exclude it from the dealings of mankind, and may empty every social institution of the spirit which hallows it. And there are others, less godless in their views, but equally godless in their acts, who detaching morality from religion, and making every individual responsible for his creed and his piety solely to his Maker, think that the world may be carried on upon a common worldly code of vice and virtue, and that every allusion to religion should be avoided as an indelicate, unauthorised intrusion upon the right of private conscience.

But however various the motives for demanding a change in our present system of oaths, it is quite clear that the system requires examination. And the fear is lest this examination should be prejudiced or superficial, carried on, like most of our present criticisms on the institutions of past ages, in a conceited, discontented, or enthusiastic spirit, and ending not in the restoration of a system to its sound and healthy state, but in the entire destruction of it, as a punishment for its having been abused.

The administration of oaths in this country, as before remarked, has been long based upon fundamental principles of society, both political and religious. From the very nature of an oath, we cannot alter it, without affecting public feeling on many vital questions both of society, and of Christianity itself—without touching on subjects intimately connected with our highest interests, subjects on which we are at this crisis in the midst of a great revolution of opinion. In discussing these subjects, looking to the general tenor of our public acts, we see very little to guide us at present, but views of expediency, vague plans of amelioration, a desire to conciliate opponents, and a suspicion of the soundness of all maxims on which we have hitherto acted.

It indicates, indeed, little good sense or good feeling to speak of the age in which we live, as wholly worse than those which preceded it; and we have no such intention. But, assuredly, thoughtlessness and conceit are the characteristics of the present times: and it is not too presumptuous to say of us, that while we have discarded the guidance of those old principles and instincts, which governed almost unconsciously the movements of society in past days, we have not yet reached—and probably never shall reach—by our own

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own independent reasonings, such a profound knowledge of ethical and political truths as will supply their place. There is every reason why we should listen with attention and gratitude to any suggestion of improvement, from whatever quarter it may proceed. But there are still weightier reasons why, especially in times like these, we should examine deeply every plan of change. We should look first candidly, and even favourably at existing institutions, and endeavour to correct their defects, instead of wholly overturning them at once; and most of all, we never should perpetrate a change without going back to principles, and resting it on the first axioms of morals.

We propose, therefore, at present, to make a few observations on the theory of oaths, with reference to the fundamental laws of human nature on which they are or ought to be constructed; and feeling that the great want in all our present proceedings is deep and accurate thought, we will make no apology for endeavouring to treat the question not superficially.

Perhaps nearly all the difficulties with which the imposition of oaths is embarrassed at the present day arises from an indistinct view of the nature of moral obligation; and this indistinctness arises from an ambiguity in the use of the word. To oblige is to tie, to bind down, to compel to a certain course of action. Thus we find the phenomena of the material world always following a regular undeviating course, and we say that they are under the obligation of certain laws. We infer the existence of the laws from the uniform obedience to them. We know nothing of any obliging power, except by the uniform success of the obligation. But in the moral world it is very different. In this there are two kinds of laws—*one which ought to oblige, the other which do oblige*—one which we learn and understand long before we obey their impulse—the other which we follow, even while we protest against their right to lead. The laws of reason, goodness, holiness, of duty in general, are of the former kind; the laws of pleasure, inclination, self-interest, or habit, are of the latter. Nothing, for instance, lays, in one sense, a stronger obligation upon men, than the existence of a Deity—to love, honour, and obey him. Nothing in reality exerts over us so little practical influence, probably, till a very late period of life. If we use the term *obligatory* to express that which *ought* to oblige; and the term *obliging* to express that which *really does* oblige, the question will be much simplified. And an oath, to state the case abstractedly, may be defined as an attempt to enforce that which is obligatory in itself by something which is obliging—to make men do that which ought to be done, but will not be done for its own sake, by some secondary motive of which they are susceptible.

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In looking, then, into the constitution of human nature (and without such an examination all regulation of oaths must be hazardous and precarious), it is clear that nature has provided for us two kinds of motives, prior and preparatory to those which will influence our conduct when the law of virtue is at last written in our hearts—two which do oblige us long before we are obliged by those which are in the highest degree obligatory. These two are—shame, or an instinctive submission to other moral beings above us; self-interest, or any regard to our own pleasure or pain. The former principle is most strong in generous, noble minds—the latter in the lowest and worst. It would be mere pedantry to refer to ethical authorities for the illustration of these positions, upon which all ethical systems are founded.

If we examine more closely the nature of this feeling of shame, or, to use a Latin word which expresses its character more clearly, of 'verecundia,' it comprises many distinct sensibilities. It implies regard for the opinion of others, the fear of injuring them, bashfulness, emulation, respect for superior power, humility, personal affection: it is, in short, in morals, what faith is in religion—the grapple by which men, during the process of education and instruction, are retained under the moral influence of others, until the love of virtue, for its own sake, has been infused into their mind. Personal authority is a very different thing from the authority of goodness; and the former must be employed to enforce the latter, until the latter is made intelligible and has acquired a proper power of its own.

If this principle of shame is not employed, education (and education is a large word, comprising all the influence which is exerted on the minds whether of old or young) can only be conducted on the principle of administering selfish pleasures or pains. If a child will not be guided to right by the love of his parent, or by instinctive submission to his teacher, or by respect for the opinion of his companion, he must be bribed or flogged into obedience. There is no other course open, because no other motives are provided by nature to influence his actions, but either the intrinsic beauty of goodness, as the last, or shame, or selfish interest, as the previous instruments of discipline.

Such being the case, it is evident that whenever men are to be bound down to a course of conduct which, though in itself good, and, therefore, intrinsically obligatory, they yet are incapable of liking or obeying, then one of these secondary motives must be employed; and no wise man will doubt to which he ought to have recourse. The lower, indeed, may be thought to succeed with bad men better than the higher; but applied to the better class of characters, it will not only fail to elevate, but will even deteriorate

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deteriorate their nature. Treat men as incapable of self-respect, and their self-respect will soon be destroyed; accustom them only to mean motives, and mean motives will soon become their only rule.

And there are many other considerations which render shame, as a motive, preferable to self-interest. It extends to the thoughts and hearts as well as to external actions. Though a virtue of an inferior class, it is in itself a virtue; and, therefore, encourages the growth of other virtues, instead of extinguishing them. It is one of the first sensibilities awakened, and nearly the last wholly lost; and where it is lost, as all reformation is hopeless, such cases can never enter into calculation. Men are not to regulate their laws or their discipline by their probable effect upon the wholly bad, who are beyond all influence, but upon the imperfectly good, who may be yet saved. These are the proper objects of wise legislation in man, as they are the object of God's providence in nature.

One way, then, in which the principle of shame is brought to bear upon the moral government of men, is the exclusion of temptation—by keeping before them constantly persons, and personal influences, in the presence of which neither vicious actions can be indulged, nor vicious thoughts intrude. Thus children are kept under the eye of their parents. Public opinion is a perpetual check upon many profligate tendencies. The light of day prohibits many things which are shamelessly committed in darkness. Thus the looks, language, censures, or approbation of our fellow-creatures insensibly guide and control our opinions as well as conduct. Thus a high standard of moral feeling in one class soon operates upon others. The mere presence of good men makes others good. The very sight of places, things, buildings, or objects hallowed by the personal character of other moral beings, keeps guard upon the sanctuary of the heart, and prevents the entrance of evil.

In one word, there is a moral power in the world, unseen, indeed, but not unfelt, which is hourly guiding us all, in the beautiful expression of Scripture, 'not by bit or bridle,' that is, by the rough impulses of pain or pleasure, 'but by the eye'—by the secret movement of its approbation or censure.

In another way this power acts, like other discipline, by its punishments and rewards; and, like all forms of government, by punishment much more than by reward. It follows up the offender, and administers a discipline infinitely more severe than any chastisement which can be inflicted by a mere physical power.

But there is a third way which is adopted, when it is impossible to maintain a visible or sensible moral influence, always standing by

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by the side of man's frailty, and acting as an immediate keeper upon his heart—adopted when he must be left to himself, and be removed from every check but a law within his conscience. To provide him with this law and this check, *promises* are enforced —of which the whole obliging force may be traced to the principle of shame. And as an oath is a religious obligation of some kind or another, superinduced upon a promise, the true nature and conditions of *promises* must form a preliminary question in every discussion upon oaths.

In the first place, then, a promise, however it may practically *oblige*, can in no way affect the intrinsic *obligatory* character of the act promised. If the act be bad, the promise cannot make it good. If it be good, it ought to be performed, whether or not it is coupled with any previous pledge. The security which is given for a debt may, indeed, strengthen the confidence of the creditor, and give punctuality to the debtor, but it does not alter the nature of the debt. It is, therefore, the *obliging* nature of a promise which is to be analysed. How does it act upon secondary feelings and motives, before the first and highest are developed? These feelings are not simple, but very complicated.

One is that tremulous, sensitive susceptibility of impressions from other minds, by which all men, not very practised in deceit, or hardened, acknowledge the presence of a superior being, whether man or God—by which they fall unconsciously into the position which he commands; are thrown off their guard, and so prevented from practising hypocrisy; are incapable of continuing any double-mindedness; and still more incapable of uttering words at variance with their thoughts. The power of the human eye over even bad men arises from this law. The effect may be produced in part by an admonition, or by any one of those moral influences which rise in a graduated scale from the first secret voice of conscience, up to the most awful imprecatory oaths imposed under the most appalling circumstances. But the utterance of words, or any external act of the party to be influenced, not only brings him under this influence, but effects something more. It is a test that his mind is affected as it should be, and also has a tendency to affect it, just as the posture of kneeling not only evinces the disposition, but positively disposes us to pray. Once fix on the mind, though only for a space, a right intention, and something is done to ensure its accomplishment: the aim is taken; the wheel is set on the tram-road. And thus a promise is obliging, in the first place, by giving this intention and direction to the thoughts and feelings of the moment.

Secondly, if exacted with formality and deliberation, and especially if recorded in some shape which may serve as a permanent memorial,

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memorial, it keeps the same intention constantly before the eyes, and fixes it more deeply. Hence signatures to writings—monuments of treaties—tokens and symbols of vows and engagements. They oblige, by constantly renewing the original impression, and assisting the memory.

Thirdly, a promise renders man in a remarkable way susceptible of shame, by placing him at once in an elevated relation to other moral beings and to himself, from which he fears to fall. Instead of lying passive, and merely witnessing examples, listening to admonitions, or submitting to punishment from others, he is by a promise roused up to a consciousness of his own free agency, his own power, and his own responsibility. For a promise is a voluntary surrender of some portion of our liberty of action. It, therefore, necessarily implies that liberty, and, consequently, a corresponding amount of independence. The making of a promise for the first time is, therefore, a very important era, and exerts a very important influence on our moral development. It is the coming of age of a moral being. So long as he is kept in his minority, subject only to the lash, with the whole burden both of his virtues and vices thrown upon his guardians, so long he is very slightly susceptible of shame—slightly, in his own eyes, because he never exercises reflection, or arraigns himself before his own conscience, or recalls a former state more elevated than the present—slightly, in the eyes of others, because he is accustomed to consider them, and not himself, responsible for his conduct. And as they have never treated him as an equal, it is no degradation to be lightly esteemed by them. Hence the debasing, vitiating effect of slavery. But admit men to promise, and you deal with them as independent beings—you abdicate a portion of your own power over them, and convert their previous subjection into a voluntary and far more ennobling compact; you place them on a high position in *your* eyes, from which they fear to fall—and you raise them in their own eyes, not only in this way, but by compelling thought, deliberation, and forethought, previous to a binding engagement. This, when it can safely be practised, is the great object of education, as it is of civil government—and appears to have been studiously practised in all the dealings of God to man, which have been uniformly carried on from the beginning, and in a very extraordinary way, by covenant and compact, as between free, independent agents, not as the overruling of a creature by an absolute lord and master.

Thus our desire of retaining the good opinion of others, a desire which exists in the fullest vigour in almost every mind, long before we are even sensible of a law of abstract goodness, is brought

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brought to bear in support of that law. And happily its influence has full scope, because other men, also, are peculiarly alive to what is called a law of honour long before they recognise the right of other virtues. The infraction of a promise solemnly made lowers men in the eyes of the world far more than the violation of many other duties. If it were not so, the feeling of shame would not exist in all its present keenness to warn us against the infraction.

One more mode in which, very often, a promise obliges, is by involving the positive interests of others in our fulfilment of it. It seldom happens that a promise is exacted without the party hazarding upon the strength of it some advantage which might otherwise have been legally retained. And men are very sensible to the rights, and still more to the wrongs of others, at a very early age, and even when they are under the influence of passions. It is, like shame, one of the last good feelings which are obliterated —one of the first which come forth. He must be a very bad man who would not be in some measure deterred from an evil action by remembering that it must injure another, who had rendered himself thus liable to injury by a voluntary act of confidence. But if no promise is given, no confidence is reposed, no responsibility is therefore incurred, and no remorse is felt.

The same observation may be extended to cases where favours have been conferred upon the strength of an engagement, though without any positive detriment to the party who confers them, arising from the violation of the compact. Gratitude is itself a very early, and very strong, and very lasting secondary feeling, and possesses a very obliging and stringent power.

And thus far a promise serves to bind us down to a course of conduct, simply by appealing forcibly to the principle of shame, or, in other words, to our moral susceptibility of influence from the presence of other moral beings. There might be added to this the vague but certain apprehension of evil arising from the loss of respect and confidence. But in the present view of an oath, this is an accident, not an object, and we wish to draw the line of distinction broadly and clearly between promises which bind by a moral feeling, and those which bind by fear, and are in some shape or another imprecatory. And it will very much assist our view if we trace briefly the stages through which a simple promise passed into an imprecatory oath.

A very large portion of the oaths which occur, particularly in ancient history, convey no trace of imprecation; they are simply the mention of some object, either thing or person, the presence of which, from its dignity or influence, it was supposed would produce

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produce the moral effects above mentioned, would reduce the mind to seriousness, simplicity, and awe, and would therefore ensure the truth. Oaths such as these—'per Deos, per venerationem principis, per timorem patris sui, per cineres suorum, per salem, per stellas, per nomen imperatoris, per membra carorum, per tenebras, per noctem, per barbam, per dextram, per caput alterius, per fortunam suam et gloriam; per horrendum hoc diluvium, per animas avorum et proavorum;—or in the Mahometan practice,—per Angelorum ordines, per Alcoranum, per ventos, per nubes, per librum lineariter in chartis subtilissime scriptum;—or in the Christian practice,—per altare, per Evangelium, per nomen vel reliquias Sanctorum'—without collecting more instances from various writers, these all appeal to the same principle of shame, that is, of reverential feeling to some object, the very thought of which was to exclude the inclination to falsehood. To add to the effect, the object itself was very often brought forward, and the repetition of the words was accompanied by a corporal act. Thus the northern nations swore sometimes brandishing their spears, sometimes on a drawn sword, sometimes clasping the robe of the person who exacted the oath; sometimes holding a piece of coin which bore the king's effigy. Selden mentions a practice in London of swearing on the tomb of the dead, when a witness had died without giving his testimony. The laws of Hoel the Good speak of the same practice applied in the case of deceased debtors. Du Fresne speaks of a Danish king whose armlet was so used. According to Gyraldus, the Irish swore upon the crosiers of their bishops. So the oath was taken by Christians, sometimes touching the Gospel, sometimes the altar, sometimes the relics of saints, sometimes with the cross laid on their head. Sometimes in monasteries they touched the feet of the abbot. In India they touch the feet of the Brahmin. In the middle ages, it was no uncommon thing to lay the hand on the head of the party who received the oath. And the forms of laying the hand on the heart, or of stretching the arms out, were intended for the same purpose. Actions were chosen to express the oath, as being supposed to imply more sincerity, to require more deliberation, and to impress the mind more strongly than mere words; and very frequently the oath was repeated at several times, in the presence of fixed numbers, before several altars, or over accumulated relics, in order to increase the reverential feeling. As Mr. Tyler observes, the expression of a *corporal oath* comes from this practice.

Now it is evident, that the use of inanimate things as fit objects of reverential awe is not only mere folly and superstition, but is a heavy offence against the first principles of ethics. It is a species of moral idolatry—and no one will now defend it. And yet

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yet men are found to demand that human creatures should be thus employed; and promises be sanctioned and enforced by the respect felt to man alone, without any reference whatever to the only legitimate Source of all obligation—the only Being whom men ought to fear. They will admit of promises, but will not allow them to be sanctioned by the name of God, as made in his presence, and binding by his will. A few words will show at once the mischief of such a theory, and the principles upon which, with the consent of the church, promises in the middle ages were so generally raised into oaths—but oaths without imprecation.

It is evident that if truth is to be enforced by the eye, and the presence of any one, no Being can be so able or so fit to enforce it as the Source of all truth. If any one is to be placed before us as the supreme object of our fear and respect, it must be God. Whether we swear by stocks and stones or by human beings (which, in fact, is done when a promise or declaration is made in the presence of man alone), in each case there is the same detraction from the sole right of God. And this cannot be admitted by the legislature without most evil consequences; for in the moral government of men, while motives which, in their imperfect state, they can feel and understand, are applied to make them act, great care must at the same time be taken to suggest others, which may place the action upon the right ground—to name at least the motives which *ought* to bind as a corrective of the motive which *does* bind. When a child is flogged to deter him from misconduct, he should always be informed that obedience to God, not the fear of being flogged, should be his real inducement to do right. When a man binds himself by a law of honour, though the obligation may be accepted, he should always be reminded that the command of God, not the opinion of man, is the real standard of right and wrong. If this is not done, in a very short time the low immature views of common minds will universally prevail. Men will consider that acquiescence in their notion of obligation is a proof of its correctness; they will have no better and truer rule placed before their eyes; and the fundamental principles of morality will, in a very short time, be overlaid and lost. For this reason, a promise to man ought always to be connected with the thought of God, to whom every act of goodness is due—obedience to whom constitutes the measure of all goodness—without reference to whom all our faith, and reverence, and honesty, and truth to man, is but a species of vice. What must be the language of any right-thinking Christian to a person who, on a solemn occasion, offers to bind himself by a promise, as one human creature to another, without any reference to

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to their Creator? 'You acknowledge,' he would surely say, 'respect for my opinion—you fear to tell me a falsehood—you are ashamed to deceive, or dissemble, or disappoint me in the eyes of the world—you own that the right which I obtain by your present engagement cannot be withheld or violated without injustice. Is there not another moral Being for whom you are bound to feel respect indeed—in whose presence you can still less dare to lie, or to deceive—who has a right to all your actions—and from whom all my rights are derived? Can you offend against me, without offending against Him? Is He not as much a party to every engagement that man can make, as the visible covenanters themselves? Will he not avenge your faithlessness, even though no direct appeal be made to Him—even though you cast His name aside, as if you could possibly prevent Him from being a witness to your compact and your fraud?' Surely the attempt which men are now making quietly to put away the name of God from those very affairs of life, where his presence and sanction are most needed, is an alarming proof of either our thoughtlessness or our ungodliness. Surely those generations were far wiser who endeavoured, however vainly, to make it hallow every action, and reminded man, at every entrance upon a duty to his neighbour, that it was also and chiefly a duty to his Maker.

It was undoubtedly upon this principle that from the fifth century downwards, oaths, and chiefly official oaths, were so multiplied within the Church. An ecclesiastical, if not a purely religious spirit, had penetrated the whole of society; and whenever a duty was to be performed, it was directed to the one great Centre of all obligation. And although there may be something to censure in the occasions or forms of these oaths, the principle was wise. It was only stating, and making others state in form, what the early Christians recognised as the great axiom of all morality—and an axiom which, if they refused to state in the shape of an oath, they refused only because they would not permit the slightest distrust of their holding it.—'We swear,' said the old fathers, 'by our lives, not by our lips. We make God the great object of all our thoughts, and the rule of all our actions. If, therefore, we make a promise, it is to God—if we keep it, it is because we dare not break an engagement which was made in his presence; but we do not make mention of his name, because it is not required. It is written in our hearts, and borne publicly before all our deeds.'—When this high spirit began to cease, then oaths commenced, just as law and precept enter in only with suspicion and wrong. And as the suspicion and wrongs increased, men ceased to feel confidence in the simple principle of *shame*, and

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recurred to *fear*—the lowest and the worst, and with good men the most deteriorating motive.

Imprecatory oaths were the only security of promises in heathenism; and as the principles of heathenism gradually re-established themselves in the bosom of Romanism, imprecatory oaths revived with the corruptions of the Church. They were founded on several distinct notions, which perhaps more properly may be called superstitions, though superstition is a hard word, and in the present day is far too lightly used. It may be worth while to mention them.

1. Men have always attributed a powerful, and, as it were, a sacramental influence to words. The omens of heathens, and the prophetic character which they often traced in the imposition of names flowed from this notion. And thus a curse was supposed to carry with it its own completion, even without any reference to a providential execution of it by God.

2. They considered that the party called in to witness the oath became at once personally interested in the maintenance of it, and that God would thus avenge its violation with the same feeling which the party would feel who imposed it. Even now, when a common person is subpœnaed to give evidence in a trial, he immediately identifies himself with the cause which he supports, and enters fully as deeply as the principals into its failure or success.

3. They felt, and felt truly, that deceit is an insult to the person in whose presence it is practised, and the more so in proportion as the person is acquainted with the truth; and a falsehood therefore, in the presence of God, was supposed to draw down his peculiar and immediate vengeance.

4. And they rested the practice of purgation, even in its worst abuses, upon the original truth, of the peril which ensues on the unworthy reception of the communion. Thus the consecration of the elements was considered at one time a sufficient proof of a priest's innocence: then the reception of them with impunity was held a valid purgation. Then when relics became common, they were constantly appealed to, as possessing similar power of detecting and punishing perjury. And lastly, the exorcism and benediction of the priest were supposed to convey the same power to wine, water, or even a morsel of bread, as in the case of the ordeal.

Upon these principles the system of imprecatory oaths was introduced to a most frightful extent. The Church at first strongly remonstrated against them, but at length acquiesced, though partially, and still with endeavours to obviate the mischief. The blind power of the imprecation was considered so resistless

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and inevitable, that any object named in the oath was rendered obnoxious to the curse. It was delivered up as a pledge, or hostage. 'You swear,' says Chrysostom, 'without a thought, by the name of God; yet you would not dare to utter an oath by the head of your child.' Instead of naming objects as things regarded with a reverential feeling, and therefore proving by their presence in the thought, that the mind itself was affected with a solemn serious truth-speaking spirit, men named them as so many pledges on which the curse from Heaven was to fall if the promise were broken. The whole process of this transition is highly interesting; but to illustrate it step by step would lead us far beyond our present purpose. Du Cange, Spelman, and Hoffman have collected large materials for such a work; the Anglo-Saxon laws also throw much light on the question, and the homilies of Chrysostom and early chronicles should also be consulted.

It is, however, not the historical facts with which we are at present chiefly concerned, but the end to which they may be traced. This end was the re-establishment of the heathen imprecatory oath in all its evils. And there can be little hesitation in asserting, that imprecatory oaths, under whatever shape, are a positive sin, both in the party who takes, and still more in the party who imposes them. In this point we most cordially agree with Mr. Tyler. Puffendorff, indeed, and Paley, and heathen moralists in general, recognise them by their very definitions; but on ethical questions of the higher order Paley is a very poor authority. Heathens were placed in an entirely different position from that of Christians, and if an oath with them was to bind at all, it could bind by imprecation alone. Puffendorff is indeed a great name; but he speaks hesitatingly, and rather treats of oaths as they are, than as they should be constituted.

If the imprecation be supposed to draw down the curse, as by a sort of physical irrespective law, it cannot be other than a sin to hazard the dearest interests of any one on that which must at best be exposed to chance, the strict maintenance of a promise. It is not for man to attach even to crime punishment beyond the range of his own power of infliction. No merciful spirit would permit a sinful man to tempt God's chastisement, or would place him in a position where, if he fell, it must be into utter ruin. And if the notion of imprecation is so modified as to leave no other check in the oath but the sense of God's presence, and the consciousness of his general anger and punishment upon falsehood, all this is maintained sufficiently by the ordinary form of swearing without any imprecation whatever.

Under any view of an imprecation, it is a most serious evil. It

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appeals to a wrong motive: it treats man as insensible to all but the lowest principles, at the very time when, by the very necessity of imposing the oath, he is supposed to be placed in a position where confidence is reposed in him. It exhibits a spirit suspicious, vindictive, and superstitious on the part of the imposer—rash and profane on the part of the swearer; and it is wholly alien to the pure, forgiving, humble, awful piety of a Christian. If there is anything in the form of our present oath at all approaching to it, (we think there is not,) it ought to be removed. Some progress has already been made by an improved tone of Christianity, in cutting off many gross and frightful abuses of the application of the principle of fear to extort truth. Torture was the worst instance; but the oaths which have been at times administered under circumstances studiously arranged to produce, not solemnity of feeling, but terror and alarm, all fall under the same censure. The effect, while it continues, is confined to the feelings, vanishes by repetition, and consists of external impressions. It acts upon wrong feelings also, and departs as soon as the mind is allowed to return to its natural state. None but the bad are fit subjects for it, and the bad will soon escape from its influence.

The first principle then, in the theory of oaths, is that all imprecation must be removed. The second is, that in any circumstances in which a promise can be rightly executed and rightly given, if the promise is to take a solemn and stringent form, it must be made a religious promise, that is, an oath.

Much, indeed, of all this reasoning, and especially of what has been urged with respect to the elevating influence of a promise rightly exacted, will sound like mere theory to those who take what is called a practical view of things—that is, who estimate human nature at its very lowest value—deal with it as incapable of any better sentiment, and would reduce all thought and all laws to the most degraded level of the world, instead of raising above it some high standard and rule, which may succeed in drawing up to itself all the minds capable of such attraction, even if it fail to act upon the worst. But it may be remembered that reason, and law, and society, and religion—that man in his best of forms, and nature, and God, all govern and make us good by theories—that is, by views of perfection and principles of conduct beyond our common practice, and nobler than ignoble men can understand or follow. We may as well wish the heavens to be withdrawn, and the earth to be left bare to itself, with no enlightening atmosphere and no invigorating sun, as demand that high theories of duty and of truth be cast out of sight as impracticable, and men be abandoned to their own instinct, stripped of their power of vision, and of penetrating into a region above them.

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And when bit by bit, as the practice of the day proposes, these theories have been cut off and cast aside, we shall then find, to our grievous cost, how many secret influences for good have been destroyed with them—influences which rarely forced themselves upon our consciousness, but still moulded and inspired our minds in the same quiet silent process by which all God's works are completed—by which the tree springs forth from the seed, and the man grows up from the infant, nurtured, not with the gross elements of matter, but with something impalpable to sense, which Nature herself has hidden in them.

From this digression, however, let us return to several corollaries which may be drawn respecting the circumstances under which an oath may be, or may not be enforced. It is a subject of too much magnitude and delicacy to be spoken on broadly and sweepingly without much care, and it is therefore better to state the most important principles as questions, than as demonstrated truths.

1. Is there any justification for voluntary oaths? Mr. Tyler speaks strongly against them, and all reason seems to sanction their recent abolition by the legislature. Under this head, indeed, are not to be included all the strong expressions of a Christian solemnly appealing to God in his sincerity and innocence, such as occur frequently in the Scriptures and in the history of the primitive Church; but such as are gratuitously and formally proffered for the purpose either of confirming the belief of others, or of strengthening our own resolution against temptation. Of the former head, Mr. Tyler mentions as a fact, on the authority of a police magistrate, that persons in the metropolis often used to come together in crowds to swear to the loss of pawnbrokers' duplicates. The latter kind are vows. For instance, it is not uncommon for ignorant men to bind themselves by an oath against drunkenness, or any other particular vice. The former class are objectionable, for a reason which will occur hereafter; they are taken from a sense of interest, and therefore with a strong temptation to falsehood. In the latter case, the oaths are adopted as an additional bulwark to the weakness of our own resolutions, and they are becoming common. To attain this object, the oath must assume a very solemn and binding character. It is otherwise useless, and worse than useless; for its failure leaves us in a much worse condition, morally speaking, than we were in before. And this point may deserve to be enlarged on, because the observations will apply generally to the evil effects of multiplying oaths, and resting on them the chief stress of moral obligation. The whole course, indeed, of our moral improvement is a series of efforts carried on partly by internal struggles against present temptation, and

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and partly by the aid of outward impulses and obligations; and it is not possible that these efforts should not be interrupted by constant failures. Sometimes our own principles are too weak to support us; sometimes the external aids fail us, such as the sanctity of the place, the presence of others, the probability of punishment, or the absence of immediate temptation. But there is a wide difference between the failure of the internal principle, which must happen constantly in all men, however anxiously struggling to do right, and a failure in the external circumstance on which we rested our hope of perseverance. When men walk without a staff, they may indeed fall from weakness or from accident, but every fall will rouse them to more independent exertion of their personal strength; but when we lean wholly on a foreign support, and this gives way, we are left without the habit of exertion, and therefore without hope.

It is thus that the practice of strengthening our moral resolutions by solemn vows is so dangerous. Instead of exciting us to constant watchfulness, and preserving the mind in that state of humble, diligent, self-distrusting energy, which is the only real security for the virtuous principle, they throw it upon the support of an outward impression, which is to overpower our internal tendencies, mechanically and irresistibly. They rest it upon a staff which must break, because no outward impression is able, or is intended by nature, to supply the place of the true moral power within. Every one in his own experience may find abundant instances of the deceitfulness of all such props to virtue, and observe how often he has said to himself,—'If I were in such a position, surrounded by such and such objects, or laid under such obligations, I should abstain from wrong;' and how often, when these very obligations have been laid upon him, he has been wholly unconscious of their influence!

Not only this; but their failure inflicts a blow upon the conscience, dangerous in proportion to the solemnity of the supposed obligation, and to our misplaced confidence in them. A man endeavours to bind himself to the discharge of a duty by thinking on the real external relations which are intended to secure his virtue, that is, on his relations as a Christian. And though he may fail afterwards, there has been an exercise of the virtuous principle which may ripen into a habit; there is something to encourage future attempts; the attention is directed to the right point; some success is sure to attend the effort, and thoughts and feelings, however faint and vague, have been once brought before the mind, ready to return again with greater distinctness and power. And what is most of all, we are taught by the failure where the defect lies, and by the previous effort where we are to look

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look to supply it. Every fault following upon such a struggle proves the weakness of our own heart; and every such struggle to think upon our position as Christians, brings more clearly before us the promise which has been given of assistance. There is, indeed, a wound to the conscience by every failure of a good resolution. But if the resolution has been supported on the right ground, it will carry with it hopes, and promises, and comforts, to remedy the evil.

But when, on the contrary, a man has attempted to prop and bolster up his virtue by any false aids whatever, there will be in proportion to the awfulness of the seeming obligation a deeper sense of guilt, and greater despair when it fails—a sense of guilt without a promise of forgiveness, and a despair without a hope of obtaining any stronger assistance. The wound in such cases is irreparable, and the danger great of falling into recklessness.

II. May not all assertory oaths, with the exception perhaps of certain extreme cases, be also abolished?—This head does not include oaths taken by witnesses in courts of law, for these may perhaps be considered as promissory, and as applying to the future. The only object of an assertory oath is to strengthen the belief of the party who imposes or accepts it. Now it is evident, that when any temptation exists to deceive, and when the notion of imprecation is removed, the assertion of the interested party, though given with the greatest solemnity, is the very last and lowest evidence of his truth. So long as any trace of the fact can be found, either in the character of the individual, or in the consistency of his story, in witnesses, in effects, so long we are logically bound to test his statement by these. It is only in the entire absence of all external or collateral proof that he can be admitted to witness to himself. Now, if on a review of all circumstances suspicion still exists, it will exist after the oath is taken. We may, indeed, in some degree, excuse our Anglo-Saxon ancestors for recurring to purgation as a test of innocence, because at that time their State was not sufficiently developed to undertake the charge of preventing, detecting, and punishing crime. Each man was placed under the superintendence of his neighbour, and therefore it was as necessary for him to live free from suspicion as from punishment. And this was the origin of the very remarkable system of purgation by oath, compurgation, and the ordeal. But with us the case is different. 'We have no right,' says Chrysostom repeatedly, 'to distrust; and none to compel another man to remove our distrust, by a process which is irreverent to God, and a temptation to himself.' Assertory oaths are, indeed, the principal object of the remonstrances and prohibitions of the early Church. In one case, indeed, under the Levitical law, God seems to

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to have indulged the natural distrustfulness of men. And in the case of jealousy, he promised to interpose with a miracle, not so much to clear the accused wife, as to enable the husband to receive her again with that confidence which is essential to affection. But this was peculiarly a case in which all other evidence would probably be beyond the reach of man, and satisfaction was most necessary both to the accuser and the accused. It affords no precedent whatever for assertory oaths under present circumstances. We throw out, however, such a suggestion with great diffidence, as one requiring considerable thought. One observation may be added, that, as a test of opinions, an oath is peculiarly objectionable, because it must be stated in very comprehensive words, and therefore must open great latitude to equivocation. An act is infinitely better. And there are very few cases in which a test of opinions is required, where some far better evidence may not be found than the compulsory declaration of the party himself.

III. An oath should not be imposed where no such obligation is necessary, especially not on good men, nor on persons officially supposed to be placed beyond the temptation to do wrong. It is a lower obligation, and to employ it is an insult when the higher is fairly supposed to exist. On this principle the early Church properly prohibited the clergy from taking oaths. Their word was sufficient, and there was no necessity to add the religious sanction to men dedicated to religion.

IV. As the enforcement of a promise supposes that a man is not sufficiently alive to the intrinsic obligation of goodness, and as its formal expression as an oath implies that he may also be naturally insensible to the paramount duty of religion, it is necessary in each case that the secondary obligation be impressed upon his mind by solemnity in administering the oath; that his sense of awe, and shame, and devotion, however vague, be roused by publicity, admonition, or explanation, or preparation of some kind; and that it be recorded and kept before his eyes constantly, if possible. In all these points the administration of oaths in this country has been lamentably and criminally defective. And from this neglect has arisen chiefly the present efforts to abolish them altogether, and the mistakes as to their real value.

V. The occasions on which an oath is enforced should be rare, because it is addressed to imperfect minds; it is an appeal to feelings rather than principles, and therefore works on springs, not like the highest motives to virtue, strengthening with their daily use, but, like all other secondary excitements, liable to exhaustion and decay. Shame is perhaps the most delicate and perishable principle within us; very strong while it lasts, and lasting

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lasting while it is not used too freely, but vanishing rapidly when trespassed on too roughly. Men cannot be roused too frequently to act, but they can be made to feel far too often, until the feeling is dead.

VI. As the occasions are rare, so they should all be connected with some elevating and religious thoughts. Not that the name of God is profaned, as men now assert, by common use. If it were so, it would be profaned every hour in the heart and the lips of every good man. Nor that it is profaned by employment on trivial occasions, for nothing is too small to be consecrated to some high purpose of morality or religion. But it is profaned when we use it, as in the administration of oaths is too frequently done, for bad or idle purposes, for some selfish object, to save the trouble of patient investigation, to relieve ourselves from the responsibility of rightful superintendence, to remove unjustifiable doubts, or to confirm frivolous statements. From not discriminating between these and purposes strictly good, men have been accustomed to speak of many official oaths, particularly those taken by inferior officers in the Universities and in certain other public bodies, as frivolous profanations of the name of God to menial and ludicrous ends; not remembering that the old system of domestic servitude under the influence of the Church was at one time placed throughout its whole extent upon the basis of a religious relation, and consecrated by oaths; nor that an University, as a peculiarly religious institution, retains the same system, and binds all her members by a religious obligation to discharge their several duties; nor, lastly, that although externally the office of a Clerk of the Market may have far less dignity to the eye than the office of Vice-Chancellor, each in his own station has temptations as strong to resist; exercises precisely the same principles in discharging his trust faithfully; requires precisely the same views and obligations to raise and support him; is, as a moral agent, on exactly the same level, whether his fidelity is shown in fixing the price of meat, or in enforcing the statutes. This, however, is but another instance of our want of vision.

VII. The occasions must be such as to require a promise; that is, when either it is impossible to enforce without it the proper administration of a responsible power, or from any reasons it is desirable to leave a trust in irresponsible hands, unfettered by too many external restrictions; and this latter may be the case, either from a wish to allow opportunities for the exercise of moral agency, or from the necessity of establishing a principle of equity in a man's own conscience, to modify, as unforeseen exigencies may require, the strict written law, so that the latter may not destroy the spirit, nor the necessity of consulting the spirit open too wide a door for the innovation of personal caprice.

VIII. The

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VIII. The imposition of oaths must be superintended and checked by competent authority, lest bad men should abuse their seeming and real obligation to the injury of weak minds.

IX. They should not be enforced upon the bad, because they are then futile and possess no binding power, and the violation of them brings additional guilt upon the perjurer, destroys the sanctity of an oath in the eyes of others, and in the absence of immediate retribution raises doubts of a moral government above us. Some classes of men are excluded by our laws from giving evidence; and it might perhaps be desirable if, instead of indiscriminately compelling all witnesses to swear, an admonition were substituted, and the oath reserved for particular occasions, at the discretion of the Judge. This would at once remove one of the greatest blots in our system of oaths, arising from the notorious perjuries in some of the Courts of the metropolis.

X. Upon the same principle they are highly objectionable, when a strong temptation exists to violate them, either openly or by sophistry. The exact proportion of external obligation which it is expedient to lay upon the conscience, is one of the most delicate problems in moral government. It must be measured with reference to the amount of strength in the internal principle of virtue, and must assist, encourage, and, as it were, provoke it to higher efforts; but not to efforts wholly beyond its reach, for fear of the consequences of failure. In this point of view, considering the tenets, nature, and position of the Romish Church, few men will doubt that whatever criminality attaches to the violation of the emancipation oath, no little culpability is fixed upon those who imposed it. And it would perhaps be more consonant with true ethical and political wisdom, and with the dignity of the legislature, and less destructive to national morality, and the consciences of the offending parties themselves, if the oath were now abolished, since it is found to be openly transgressed, and the legislature has not courage enough, or honour, to punish the transgression as it deserves.

XI. We come now to a last condition, which has been before our eyes in the previous questions, and which has assumed a very prominent position from late discussions in the legislature, and still later regulations in both the Universities of England.

It is stated, and stated truly, that neither promise nor oath should be enforced to bind men to things illegal or impracticable. And stated in a general form, the principle is self-evident. But there are in the words 'impracticable and illegal' more than one ambiguity, which are likely to cause great mischief, if indeed the mischief is not done already. The decisions, on this point, of casuists, and principally of Catholic Christian authorities, (for we are treating the subject of oaths as Christians, and not as heathens,)

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heathens,) may be briefly stated; and it will be seen that they include what is very important, the true theory of a dispensing power.

In the first place, a distinction must be drawn between cases where an illegality or impossibility *is known* to exist at the time when the oath is imposed, and when it is either made known or is created *subsequently*. In the former case we use the words of Augustin, (Epist. 125,) 'Even if death be threatened, a Christian ought rather to die, than swear to that which he cannot, or ought not, to perform.' And an oath which cannot be rightfully taken, of course cannot be rightfully imposed. Upon the same principle rash oaths, or general promises, made thoughtlessly, which may chance to place us in the position of doing an illegal act, without any power of dispensation, 'salvâ conscientia,' are also highly culpable. To risk a sin is the next sin to its positive commission.

But the case in which the impracticability of the oath becomes known *after it has* been taken requires more discrimination. It must be obvious, that scarcely a single promise can be made relating to future time, or in the slightest degree connected with the contingencies of human life, in which promise it is not possible for such a subsequent discovery to be made. We are ignorant, and must be ignorant, even after every precaution of inquiry, not only of the extent of our physical power, but of many human and even moral and divine laws. We cannot see all the remote relations in which we stand, and may stand—cannot calculate chances—cannot arrest the movements of others, or fix the conditions of our conduct—cannot foresee, or state, or provide for the hundredth part of the cases which may occur, to qualify, render void, or impracticable the laws under which we propose to act. In compacts and covenants, as in every other duty of life, we must act, if we act at all, in sincerity and honesty of heart, but in very great blindness of understanding. And if we are not to act till mathematical certainty is attained, we must sit still for ever. Either, therefore, there can be no compacts and no covenants whatever, or they must be subject to certain qualifications, and accompanied with a dispensing power, placed somewhere or another. There is no middle course, because no multiplication of express limitations, no stretch of imagination to comprehend every possible contingency, not even the utmost simplicity and facility in the act promised, can put it wholly beyond the reach of some casual interference. A man may swear that the next minute he will raise his hand to his hat, but before that minute arrives his arm may be struck with palsy. Now as society cannot exist without promises and compacts, it also *necessarily* sanctions the essential conditions attached to them. Bishop Sanderson has enumerated them

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them very clearly, and has distinctly asserted, what no man in his senses can doubt, that no formal expression of them is required to prove their necessary existence in the mind of the person who imposes the promise, nor therefore to prove their necessary employment by the promiser to limit the extent of his promise, without any risk of perjury.

If the obstacle to the strict fulfilment be a physical law, the conscience is released by the performance of all within our power. If it be a moral or religious law, then to make the engagement is a sin, and we must suffer for it; but to fulfil it is a still greater sin, and is therefore prohibited. If it be a great practical inconvenience, by which one part of a promise interferes with another, the higher end must be preferred to the lower, the spirit to the letter. If it be human legislation, supposing the law to have existed previous to the promise, it ought not to have been resisted, and therefore the promise is void—but the conscience can only be cleared by fulfilling in some other shape so much of it as is lawful. But if the law be made subsequent to the promise, as in any law now passed by the Parliament prohibiting obedience to collegiate statutes, then will come in the comparison between the duty of performing the promise, and the duty of obedience to the laws. And as all laws and all obedience derive their obligation from the laws of God, it will be necessary to direct our conduct by the simple principles of religion. If our conscience recognises in the laws of the land the laws of God, it is justified in submitting to the proposed limitation or alteration in the promise. And thus the members of colleges consented to the abrogation of so much of their oaths as bound them to popish practices. But if not, then the duty is obvious, to give up all the personal advantages which we obtained by the promise, and, as we can no longer fulfil it without disobedience, or depart from it without a sin, to place those persons to whom it was taken as nearly as possible in their original position, without becoming ourselves parties to any infraction of their wishes. It is obvious that on this principle any perversion of ecclesiastical institutions to any purposes but those of the Church, must be followed by the resignation or expulsion of all their conscientious members.

But in every one of these cases it is evident that the last decision, on the impracticability or inexpediency, rests with the conscience of the party who makes the promise. If this is not the final appeal, there can be no need of a promise, for a promise is only imposed as the last moral check, where all other checks must terminate. And it is also absolutely necessary, that in making its decision the conscience should be regulated by two principles: the first, to take a rule of interpretation, and a sanction

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tion for any relaxation of the strict letter of the compact, not from its own momentary feeling, but from some *unbiassed, external,* and *independent* authority—from long precedent—from the conduct of others—from the opinions of sound and disinterested judges. The second principle is, to choose for the most part that interpretation which is accompanied with the greatest personal sacrifice. When these two rules have been observed, the conscience is wholly relieved.

It is surely needless to remark, that no doctrine can be more remote than this from the principles of Popery. There the dispensing power is vested, not in the conscience of the individuals, checked by, and harmonising with, the decision of rightful interpreters of God's will, but in the judgment of the so-called *Church alone,* and that judgment but another word for its selfish and criminal interests. In the theory of oaths, as in every other question, we may trace the respective principles of Popery, Dissent, and of the true Catholic Christianity of the English Church. Dissent gives absolute power to the unbridled fancy of the individual. Popery subjects it servilely and blindly to the will of another. Catholic Christianity calls on it to act, and to act manfully and energetically, but with constant and reverential deference to right authorities, and with distrust of its own imaginations.

Why the necessity of this dispensing power in the human conscience renders it equally necessary to convert a promise to man into a promise to, and in the presence of God—in other words, into an oath—will appear by some subsequent observations.

XII. But having stated that neither promises nor oaths can be rightly enforced, where the fulfilment of them is *impracticable,* it is necessary here also to guard against another dangerous ambiguity in this word. It means, first, what is impracticable even to a perfect man,—one as nearly perfect, that is, as man may be; and secondly, what is unfulfilled solely from our moral defects, from our not choosing to fulfil it. In the former sense, a promise or oath to do what is impracticable is an absurdity, and a mockery of God. In the latter sense, it is at times absolutely necessary: it is absolutely necessary to lay down general laws for moral agents, which we cannot hope they will wholly perform; absolutely necessary to surround them with the highest moral influences, which we know will very often fail of effect; and absolutely necessary, in certain conditions, to make men promise, and promise in the presence of God, to do that which is never likely to be done by any one with the infirmities of a man. This will sound paradoxical, but it is still true. The mere existence of Christianity is the best evidence of its truth. And the explanation lies here.

It

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It very often happens that it is right and necessary to enforce, and to enforce by a promise, obedience not only to one particular act, but to a variety of laws. Whenever a complicated trust is formed, particularly if it embraces a number of persons, and is to continue permanent for years, this must happen, and it must be permitted, otherwise no such trusts can be framed, and the most valuable institutions in the country will be lost. But a system of general laws by their very nature, and from the nature of man, must be liable, even under the best intention, to occasional neglect and infraction. Exact obedience, therefore, is a moral impossibility, and no one can expect it. But yet it must be demanded, and demanded to specific laws; otherwise there is no security whatever for the fulfilment of the trust. What must we do?—not abolish the promise;—not annihilate the trust, and with it all its uses; but contrive with the promise to connect provisions, which, while they leave the law of obedience perfect, may secure relief to the conscience for accidental or necessary infractions.

In all such systems of laws provisions of this kind are found. No man wise enough to be a legislator could be ignorant enough to omit them. They are to be found on a very grand scale both in the Levitical and the Christian law; and, in our own civil institutions, one of the most useful is the conversion of a promise into an oath. The problem, in fact, here, is the same with the great problem of all moral education applied to frail and imperfect beings. It is to reconcile the greatest fear with the greatest safety—the strongest obligation to obey with the least ultimate danger from disobedience: and they are reconciled chiefly by making the promise a religious obligation, acting in the following manner:—

Remove the notion of imprecation, and what is the position of the party who takes the oath? He now stands not only before man but God; is made amenable to an additional tribunal, and subjected to far higher influences. The fear of violating the promise is far more strong, first, because the presence of God and his personal observation is more full of awe than that of man; secondly, because the terrors of his anger are unseen, and the punishment upon perjury indefinite; and, thirdly, because all the sensibilities of shame before the eyes of the world, and apprehension of evil from man, which give weight and validity to a common promise, are included in the oath; and Man to whom it is taken acts afterwards as the minister of God in avenging any insult upon His name.

And yet at the very same time the violation of a promise to God is far more safe, is far less likely utterly to destroy the moral constitution, offers far more chances of ultimate recovery, than a violation

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violation to man. This statement also may appear a paradox, but it is undoubtedly true; and it requires explanation to those who propose to substitute declarations for oaths, as far less injurious to the conscience. In the first place, it must be remembered that in each case the crime by itself is precisely the same, although it is not felt to be the same. A. steals in opposition to a promise, B. without any promise. The guilt of stealing is in each alike, and whether the promise is to man or God can make no difference. In each act of stealing the same laws of honesty are broken. In each also there is contempt for the honour of God, whether we disobey his commands without thinking of his presence, as in the case of a promise to man, or are carried away from them in opposition to former resolutions of obeying them, as in the case of an oath. Whether we never think of a person, or forget him for a time, matters little. Only that man is nearer to piety who has once been impressed with a sense of God's presence, and has formed intentions of honouring him, though intentions which, from the weakness of his nature, he may at times have failed to fulfil, than one who is kept in ignorance almost of God's existence; in ignorance at least that he superintends and witnesses all the dealings of men, and that no act is right or wrong except as it relates to him. Grievous lapses are indeed grievous things; but there may be a darkness and deadness which never lapses, because it never advances, and this is far more grievous. And such is the state to which mankind will be reduced, when for occasional accidental trespasses against God's name and honour, we substitute the greatest and most deliberate dishonour to it, the putting it clean away out of all our dealings.

Moreover, in the case of a Christian, it must never be forgotten that every vice or fault of whatever kind, whether in contradiction or not to an express particular oath, is a contradiction of a previous oath,—one made on the most solemn occasion, and renewed deliberately, and by many men often. We cannot sin without breaking our vow at baptism; and to break any subsequent vow or promise can add little to the intrinsic heinousness of such an original offence. It is not because men do not feel the obligation of their oath at baptism, renewed as it is in every profession of their Christian faith, and do feel the obligation of an oath made on some particular occasion, perhaps with more external solemnity, that the intrinsic obligation of one is less than the obligation of the other. Our sensibility to moral obligation, as was stated before, is the very last standard to which we should refer for the real measure of duty—for the real measure of remorse when the conscience becomes awakened—for the real measure of punishment whether it is awakened or not. And if now, as in better days, men

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men when they sinned in any way were reminded that each sin was a lie—were told of their solemn promise to obey all the commands of God—if that promise were renewed by them as solemnly as it was made in primitive times, when those who were about to be initiated stood up in the presence of the Church, and with loud voice and outstretched hands swore themselves servants of their Maker—if the oaths which they then swore were treasured up to be brought out against them, as witnesses of every failing; and their vows were brought daily before them as recorded faithfully and strictly in the sight of heaven, to last there until the day of trial—if, in one word, the Church herself, as in her better days, had rigidly maintained the whole mystery of baptism, we should not now be called on to defend the practice of swearing to God, in cases of human dealings, which may be brought under the example and the sanction of his own most holy institution. And we should not have been led into the error of dreading a violation of a subsequent oath as a crime beyond all pardon, whilst the violation of our oath at baptism is passed over without notice, and without fear, as if it were no oath at all.

Still it is said there are such things as weak consciences, and they are not to be rashly offended. There are such things as raw consciences, and in the present day the affectation of them is very common—consciences morbidly and tremulously sensitive to some slight demand upon their trust in God's mercy, which yet are as firm as a rock upon the commission of heavy sins. Like the somnambulist, they sit still under a blow upon the back without knowing that it was given, but when a finger touches the hair of their head, they shriek out in agony. This is the moral sensibility which in the present day is indulged and encouraged. No man is so wholly cased in armour, but that he has some little point through which shame may reach him. And this point he calls his conscience; and as each man has his own point, and probably a different one, and as nothing is to be enforced which is to wound the conscience of any one, nothing can be enforced at all. Would it not be better to remind men, that while they are committing great sins without shame, the fear of committing a less must at least be regarded with suspicion—that conscience is not a casual feeling on a particular act, but the whole faculty of man's reason brought seriously and comprehensively and solemnly to bear upon the whole range of his duties—that it cannot be trusted without infinite peril until it has been purified by practical habits, enlarged by patient thought, tested by self-denial, sanctified by prayer—that when the plea of conscience comes in, as we see it brought in every day, to shake off some check upon our heart, to escape from some discipline, to avoid the payment of a church-rate,

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rate, or to rob the revenues of God in order to appropriate them to man—some little doubt may reasonably be felt, if this acute and delicate intuition of right and wrong be not rather hypocrisy than truth, prudery than innocence.

Nothing indeed should be done in things indifferent to wound even the most childish conscience. But where practices are right in themselves, to abolish them, because they shock the casual feelings of ignorant men, is to establish a principle which must end in subverting all rule, all education, and all society.

Lastly, if the repugnance to an oath arises not from a moral sensibility to guilt, but from a fear of the punishment on violation, —and this is the danger to be dreaded,—let men ask themselves seriously whether they would rather fall as criminals into the hands of man or of God? We are only about to expand the brief declaration of Ambrose, 'He who owes a debt to man, must pay the whole; but he who is a debtor to God, when all else fails, may pay with penitence and tears.'

Of all stern, hard-hearted, unforgiving tyrannies, that of human opinion over man, when unmitigated by any thought of religion, is the worst. It is rendered inexorable not only by the bad passions of human nature, but by its own weakness. It cannot afford to pardon. And hence the law of honour, especially when man's interest or resentment is concerned in it, is absolutely cruel. Very different from the mercy of God, it makes no allowance for the frailty of human nature—admits no satisfaction—enforces the penalty to the utmost—cuts off for one single offence all hopes of reformation and amendment. And if in the engagements of life a law of honour is to be substituted for the law of God, and for every violation of a promise man is made amenable to man without any reference to his Maker, his case will indeed be hopeless. It is true, indeed, that society administers alike both the punishments attached to perjury, and those attached to broken promises. But it is remarkable how much more leniently these punishments are enforced in the former case than the latter. There are at this moment before the eyes of this country more instances than one where men charged with dishonourable conduct have been cast out from society, like things infected with the plague, while at the very same time men charged with perjury have sustained no injury whatever, except in the sight of a few who view truth with different eyes from the mass of mankind; and those few are the most ready to excuse, and the most unwilling to exact the penalty to the utmost—not indeed from indifference to the offence, but from compassion to the offender. And the reason why men are so much more merciful to offences against God than to the same offences against man, is, that one class are less interested

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rested in avenging them; their resentment is not roused—their self-conceit not provoked—they affect to think perjury too great a crime to be committed, and therefore explain it away; and another class (who see more clearly) having transferred their right to God, leave judgment to Him, and endeavour to estimate the sin by His measure of compassion, and to deal with the sinner after His long-suffering and mercy.

Such are some of the facts which ought to be kept in view before men proceed, as they seem at present disposed to do, to abolish all oaths as profanations of God, as injurious to tender consciences, and as destructive to all goodness when violated—and either to leave man free from any obligation of the kind, or to place him under the law of man by a declaration, instead of the law of God by an oath.

The conclusion we would draw is this:—

Excluding all those cases in which neither a promise nor an oath can be legitimately enforced, are there not still some remaining, in which they are not only justifiable, but salutary and necessary? Are there not circumstances in life where one man may have just and beneficial claims upon another's conduct—which claims he cannot enforce at the time—which he must leave in a great degree in another's power—and for which he has a right to provide every security which can be obtained from the sanctions of honour and religion? Without intending to do more than illustrate the question, we may refer at present to three cases in which the old practice of oaths has recently sustained a very violent alteration—an alteration suggested, as in Mr. Tyler's work, by a conscientious, but, we must add, an unthinking, indiscriminating desire to remove occasions of offence; and which, if the step is not retraced, will undoubtedly end in very serious mischief, if not to our institutions directly, at least to the moral tone of mind in those who administer them. Many oaths of office have been abolished by the Legislature, and replaced by declarations; and both the Universities have recently abandoned the oath of students to obey the statutes; and have substituted, at Cambridge a declaration of obedience, and at Oxford, happily with far less violation of sound principle, a simple admonition from the Vice-Chancellor.

The first thing to be observed is this: If the principles on which this change is made are sound—if our ancestors for so many generations have been wholly lost to the sin of perjury, and we are the first whose conscience is alive to it—all oaths to observe the statutes both of the Universities and the Colleges must, by parity of reasoning, be removed from those who have to enforce them. For if those who, in their interpretation of laws, are bound only to

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to follow where they are led, and whose responsibility is therefore light, cannot promise, in the presence of God, to obey them when enforced, surely those who are trusted both to obey, and to enforce, and to interpret, must be still more unequal to their burden. When the notions which have now been acted upon are carried out, they must lead to the abolition of all oaths of observance whatever to any written law. With the oath, the observance will be abolished likewise, for no other check remains upon the governing body. With the observance will perish the statutes themselves—and with the statutes the institutions which they were appointed to guard. We defy any one to point out a break in the chain of consequences; and unless the oath be restored—restored with more thought and more inquiry than has preceded its abolition—the evil will be incurable.

In each of the three cases above mentioned, all the circumstances are combined, which render an oath just and necessary. The parties on whom it is imposed are all capable of understanding it, and are all, upon the very supposition of their admission to take it, likely to be influenced by its obligations. A man entrusted with any office however small—a young man, well educated, and arrived at an age at which many have governed nations, and accustomed, likewise, both to the laws of society, and to religious impressions—and again a person thought worthy of admission into a society which is to govern and teach others—each of these is surely a character on which the sanction of an oath will have, and has great weight. In each case, also, there is a confidence reposed, and a confidence which must be reposed: for no one will say that any superintendence can be exercised over official acts, strict enough to exclude innumerable opportunities of abusing or neglecting the trust—none, certainly, which can enforce the discharge of it to the best of our abilities. And no one familiar with the government of young men will fancy that they can be restrained by any discipline alone, however severe. The notion is very common, but it is wholly false. Even if it could be, it should not be so, because young men ought not to be placed like children always under the dominion of a keeper. The fact is, they cannot be managed by punishment, without provoking very serious resistance, without lowering their moral character, and destroying their own self-respect. They are beyond the reach of punishment. Light penalties only irritate, and are received as so many compensations for past and future offences; heavy penalties cannot be inflicted without seriously injuring their reputation or prospects. They are secure in the tenderness of those who are bound to administer their punishment—and to administer it for the moral improvement of the offender—and who

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At any rate, he will recognise the same wise contrivance in the numberless minute penalties attached to almost every violation of every statute, and the indulgent provisions of the dispensing power, set side by side with the strictness of the promise to obey.

Mr. Tyler—and he has with him no small number of well-disposed, but not deep-thinking men—asks (p. 73), if 'the necessity of so long and elaborate an explanation, and of what is and is not perjury, does not condemn the oath itself?' He seems to think that the difficulty of framing a proper machinery is a valid argument for rejecting all machinery whatever. But he is too good a man not to understand from experience the main problem of moral education to which we before alluded, which man, whenever he deals with man in his present imperfect state, must solve as well as he can, and must solve as God has solved it. He must lay down a law of perfect obedience which yet he knows will be transgressed, for without such a law there will be no effort to reach the highest goodness; and he must then provide loopholes for escape when the transgressions are committed, that the perfectness of the law may not prove death to him who violates it. What the law of God in the Scriptures and the Christian vow at baptism are to the moral government of a Christian, the oath of obedience to the statutes was to the student. The illustration is not too high; for in the regulation of man's moral nature, the same principles must be employed throughout, in small and in larger cases alike. And what the opportunities for repentance, the hopes of forgiveness, the restriction of God's utter vengeance to notorious denials of his faith, to profligate violation of his laws, and to hardened obstinacy—what these are towards the offenders in religion, the provisions of the Epinomis are towards the transgressing student. There is no ingenuity in the illustration, but a close harmony between the two cases, arising from the identity of circumstances to which the machinery is to be adapted.

And yet in its shallowness and impatience the spirit of the age clamours against such arrangements as complicated and artificial; as if man was a simple being to be governed by simple principles. And it fancies that the whole difficulty may be removed by limiting the obligation to a promise instead of an oath; as if the law of honour, or any moral law whatever, did not require the same bold rigid outline, and the same power of compromise, adaptation, and indulgence to human imperfection; and as if it was not, in fact, far more harsh and far more unbending, and therefore far more dangerous. And with the false notions now prevalent of God, as a Being who regards words only and deeds, and not the heart—and of an oath, as an act of imprecation, drawing down vengeance on the offender by an inevitable sacramental chain—

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men fail to see that the very thing which gives to a promise the slight degree of elasticity which may be absolutely necessary for its fulfilment or execution, is the oath which refers it to God, which makes our obedience to it obedience to God as well as to man, and therefore God the person to whom we must render an account, and not ignorant, unforgiving man alone or chiefly—which gives our transgressions a refuge under his promise of pardon on repentance—which permits us to move beneath its pressure with an ease sufficient to fulfil our work, and without which the work could not even be attempted—sure that He who knows all things will understand our motives and make allowance for our errors.

Take away the oath and retain a promise, and no man who values either his own Christian liberty or the right discharge of his duty will venture to undertake any complicated trust, much less such a trust as the hereditary transmission of our collegiate institutions, where he is bound down to the strict letter of the law, under circumstances never contemplated by the entrustor, and is subjected, as his only judge, to the ignorant, unfeeling criticism and reprobation of man. And if the promise then be withdrawn, no institution now existing will remain for many years longer, because no external visitatorial power whatever can watch with sufficient strictness over them; and that very power itself, if placed under no moral control, will be tempted to abuse its authority. And still less will any new foundations be laid of systems which are the glory of the country, when no one shall be able to obtain in such a work the only security within his reach for perpetuating these blessings to posterity.

We have ventured to repeat these observations, on account of their great importance; but we cannot enter farther into the subject. If the principles are correct, the application of them will be easy; but without reference to principles, any alteration in our system of oaths must be most hazardous and unwise. All that we are pleading for is caution, humility, deep thought and self-distrust in disturbing our ancient landmarks. It is true, indeed, that oaths have been multiplied of late to a very alarming extent, that they have been admitted where they should never have been tolerated, administered irreverently, trifled with publicly and wantonly, and perhaps even by the best of men not observed with that solemn feeling which they are intended to inspire. And therefore, says the spirit of the age, let them be swept away root and branch. They have been abused, and now we will destroy them. May we not ask if the very abuse and multiplication does not prove the truth of some good principle from which they sprung, and which still may be found in a portion of them? Can we indulge in safety this wild, promiscuous

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promiscuous demolition, without attempting to fix very deeply and very clearly the limits of the good and the evil? And ought we not to look, as the first means of correction, to the seat of all abuses, the human heart, and give fresh sanctity and power to oaths, by inspiring reverence, and truth, and piety into those who administer or accept them?

It is true also that the early Church, though its practice, like the authority of Scripture, in many remarkable instances sanctioned the enforcement of some oaths, spoke against them in general with the most unmeasured severity. Scarcely one of Chrysostom's earlier homilies occur without strong and repeated denunciations against them; but those oaths were such as fell under the exceptions established above. They were voluntary, wanton, administered without authority and for private purposes, without regard to the temptation to violate them, assertory, imprecatory, and such as tempted God by unwarranted appeals to his supernatural vengeance. The real principle of an oath the early Christian Church enforced in every way. 'Let a man swear by his life,' 'let the name of God be upon every action,' were her favorite mottos. And if she refused the formal declaration of the principle, it was only because the necessity of any declaration seemed to impugn and throw doubt upon the sincerity of her inward feeling. Afterwards, when this high tone of Christian piety was lowered, and it became necessary to avow and enforce religious sanctions publicly, because in secret they were so often neglected, the Church, from the time of Constantine, began to multiply oaths indefinitely, and to apply them to all the duties of life in which religion could be naturally infused. Particularly all the relations of society which depended on mutual faith, such as allegiance to a sovereign, fealty to a lord, service to a master, were all sanctified by oath. And in our own country, from peculiar circumstances, the system of purgation was admitted to an extent which shocks and astonishes the conceited ignorance of the present day. We forget that we are living under a totally different system. We make no allowance for the necessities of a half-formed state of society, and we neither study nor understand the many admirable contrivances by which, under the administration of the Church, even the superstition of the ordeal was rendered no despicable instrument for detecting crime, deterring perjury, and sheltering the innocent.

Upon this followed an age in which, with the corruption of the Romish Church, all other truths and systems became corrupted likewise. Then oaths were made instruments of worldly policy, and abused to the lowest purposes. And now they are all to be cast off, because piety is so lost, and men's hearts are so hardened, that

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that the name of God no longer acts as a warning or a terror. For this is the true cause—not that we reverence God more than former ages, but that we reverence him less. And that has come to pass in our own days which Plato (De Leg. 12 L.) lamented even in his days, and against which, in his usual deep, penetrating, masculine wisdom, he made the same provisions which we have endeavoured to point out at present, and which cannot be stated, in conclusion, better than in his own words.

'There was,' says he, 'a legislator of old, who laid down a law for his tribunals which we may well admire. He saw that men around him believed in God; for there were children of God still upon earth, and he himself was one. To God, therefore, and not to man, he entrusted the decisions of justice, by imposing upon each litigant an oath. But now when of the men around us some believe that no God exists,—some that he cares not for mortals,—some, the most common and most wicked, that by offerings and flatteries he may be bribed to become their accomplice in villany—now, in an age like this, the rule of that great legislator would indeed be folly. Man's piety has changed, and our laws ust be changed also; and therefore in all our Courts prohibit th of both parties. Let the plaintiff record his charge, not it; let the defendant enter his reply, but deliver it ,' he adds, 'it would indeed be awful for trial ecur within our walls, and for us to know and feel ties to them were perjured souls; and yet t them at table, talk with them, intermarry e concludes, '*an oath be taken from judges, om electors to high offices, from all in whom any weighty trust, and who have no interest in perjury. never perjury would lead to gain, decide the cause without h. Let no one swear to enhance his credit; let there be no cation.*'

ART. VI.—*Secret History of the Court of England from the Accession of George III. to the Death of George IV.; including, amongst other important Matters, full Particulars of the Mysterious Death of the Princess Charlotte.* By the Right Honourable Lady Anne Hamilton, Sister of his Grace the present Duke of Hamilton and Brandon and of the Countess of Dunmore. London. 1832. (2 vols. 8vo.)

WE notice another infamous publication, but for a somewhat different object, and with very different feelings from those which guided our observations on the '*Diary* of the Times of George IV.' In that work a lady of rank endeavoured to transfer the

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the disgraceful responsibility of the authorship to some anonymous shadow. In this, an anonymous slanderer ostentatiously imputes his wretched libels to a lady of rank, who has in truth no more to do with them than Queen Elizabeth. The former work—however individually discreditable the publication was—had yet some foundation in truth, and was at least original. This is nothing but an amplified reprint of libels, equally atrocious and absurd, which have long been in clandestine circulation, and for one of which the original publisher was many years since tried and convicted, but evaded punishment by forfeiting his bail, and flying the country.

It was very right and very public-spirited in an individual against whom a degrading charge, however notoriously false and absurd, was distinctly and nominally made, to bring the libeller to justice; but, in truth, we do not believe that that publication—any more than the enlarged version now before us—was instigated so much by individual malice as by a reckless and shameless desire of *gain* acting upon low, brutal, and malignant natures. The former publication, which is about the size usually sold for seven or eight shillings, was circulated, *under the cloak*, at the modest price of 1*l.* 1*s.*, and the extravagance of the sum was a decoy to make the credulous suppose that there must be something very *piquant* in so dear a volume. The present work is—on the same principle—retailed by a woman, who in the dusk comes to the door and offers '*Lady Anne Hamilton's Journal*' at the same moderate price of *one guinea* per volume. The publication of the unhappy 'Diary' of one Lady-in-Waiting makes people suppose it possible that another may have written a similar book, and a curiosity to compare two such works has procured it some—though we believe but a few—purchasers, and it is to put an end (as far as our influence may reach) to this traffic between knavery and credulity, that we condescend to write this article.

We cannot take upon ourselves to say whether it was the scandalous example of the 'Diary' that put it into the heads of the possessors of these sheets—which were printed so long ago as 1832, and suppressed probably in consequence of the successful prosecution of the former volume—to produce them now with a title-page bearing *Lady Anne's* name; but certain it is that—whether her ladyship may, or may not, have written, or be writing her own memoirs—of which we know nothing—she is entirely innocent of any share in these volumes so audaciously imputed to her. This is clear from every page of the body of the work, which does not even affect to be written by a female, nor by a person in any degree personally acquainted with any of the transactions. It is a kind of chronological libel, beginning several years

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years before Lady Anne was born, and proceeding down to 1830, with a detail of events, in none of which Lady Anne has, or could have, any interest—except, indeed, that her name once occurs incidentally as attending Queen Caroline in some public ceremony, and even on this occasion the author shows himself so ignorant, not only of Lady Anne's proper designation, but of the habits of society, as to call her '*Lady Hamilton.*' This would be quite enough—but we have, in the course of the work, a distinct confession contradicting the title-page. The writer states—

'*In a former work of* OURS *called*, &c.

And the work so referred to is the very libel before mentioned, which professes to be the work of several editors, and of which—we repeat—this is nothing but a repetition, with some wearisome and disgusting amplifications, and some additional specimens of an extravagance of folly and ignorance, of which we should have supposed that the lowest purveyor for the lowest libel-shops could not have been guilty.

It may seem, at first sight, hardly worth while to have expended even these few lines on so contemptible a subject, but we have thought it our duty to expose, and, we hope, to check such an audacious fraud; nor should it be forgotten, that if *Contemporaries* will not take the trouble of recording their evidence against such publications, there is danger that their present impunity may give them some degree of authority hereafter.

ART. VII.—*Scenes and Shadows of Days Departed; with Poems from Youth to Age.* By the Rev. W. L. Bowles. London. 12mo. 1837.

POETRY assumes two distinct forms;—one, in which the poet reflects back the truth of nature upon the imagination of his readers, without any intervention of his own personal agency; the other, in which he represents that truth as it affects his own sentiments and feelings. In the former case, we have the poem and not the poet. The poem may betray, by its internal evidence, something of the age, the character, the habits of life, the political or religious opinions of the author: its general tone and impression may lead us to suppose that he was of warlike or gentle, of cheerful or melancholy, temperament. But this is a subordinate and secondary effect. Our interest and curiosity, after we have deeply imbued ourselves with the beauty or the grandeur of the poem, are naturally awakened towards the writer. Our gratitude is anxious to discover to whom we are indebted for such pure delight. It is the same feeling which would induce us to discover,

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cover, if possible, the sculptor of the Apollo Belvidere—in which, though the marble of which it is made may indicate the country, and the style, in some degree, the period of its execution; though we might almost venture to conclude, that the author of so sublime a conception of his Deity must have been a sincere worshipper of the God 'of life, and poetry, and light,'—there is, of course, nothing whatever to designate the individual artist. In this kind of poetry, the poet has renounced, as it were, his personal existence. He has thrown himself entirely into the beings of his creation. He lives in them, he speaks in their language, he thinks their thoughts, he is actuated by their passions. Self is absorbed: the actual present has vanished from his consciousness. He is—to himself, apparently, during his temporary abstraction—to the reader he is altogether, the unseen power, the principle of vitality, which is kindling up before the fancy of that reader scenes, persons, events, passions, feelings, either altogether unreal, the creation of the poet, or the poetic revival, in an imaginary form, of historical characters and incidents. Who it is that is playing off this splendid and enchanting phantasmagoria before us, we pause not, in our profound interest to ask—we care not to know. The magic is, perhaps, more powerful, because we see neither the wand nor the arm of the enchanter. We should be disturbed, rather than gratified, by the self-intrusion of the poet: it would be in some degree like discovering the machinery by which the ancient mysteries enthralled the soul of the uninitiate: it would bring us too forcibly back to the actual world; and remind us that, after all, we have only been admiring a wonderful work of art.

Of the greatest of all poets—we shall not be suspected of profanation if we commence with the author of the Book of Job—we know the least from their writings. In the obscure and mysterious, *if genuine*,* sonnets, we have some slight intimations of Shakspeare's personality; but from his plays we know nothing; even his personal character is altogether untraceable among the multiplicity of shapes which he assumes with equal facility; he embodies every passion with a much reality as if it were his own dominant one; he speaks with the same readiness and familiarity the language of every class and order of society. Shakspeare himself is thus everywhere and nowhere—when we would seize him, the Proteus has taken another shape—his spirit is too subtly and generally diffused to be embodied and impersonated. The nature of his great works, too, tends powerfully to this total concealment of his individual being.

* On this subject we entertain very grave doubts—which we propose on an early occasion opening fully to the reader.

Dramatic

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Dramatic poetry is of course that form which is most impatient of the personal introduction of the poet; in which he must most completely forget himself, and become identified with the personages on the scene. For, notwithstanding the authority of Johnson, actual illusion is the theory of the dramatic art: it is the unattainable perfection for which all must strive, though aware that complete success is impossible. The scene must be made as far as possible another world; and it is the triumph of the art to exclude the actual present.

In the Greek theatre, the older comedy permitted the appearance of the poet in the Parabasis; and Aristophanes comes forward in the midst of his own play, to explain the design and to point the satire. But the serious drama endured, when it arrived at its perfection, no such profane interruption. The poet stood entirely aloof. The predominant style and tone of the drama may reveal something of his character, but he is totally silent of himself. We can trace, in Æschylus, the warrior, and the bold speculator in religion; in Euripides, something of the man of peace, and of the sophist; of the most perfect, Sophocles, we know nothing, but that the perfection of his works appears to harmonise with all the traditional knowledge we possess, of the serene dignity, the happy superiority to all the jealousies and political animosities of his time, the devout religiousness, of his nature.

The genuine epic, perhaps for another reason, was almost as intolerant of the intrusion of the bard in his own person. It was, in its theory, the direct inspiration of the Deity, of Apollo or of the Muse, invoked to sing 'the wrath of Peleus' son.' The poet was the passive instrument through whom only flowed the emanation from the celestial being; whose thoughts and words were not his own, but a suggestion, or an actual utterance from on high. The poet having intimated that inspiration, appears no more. Poetry, in the older times, is not the avowed invention, the daring creation of the poet; it is in its pretensions, truth and history. The Indian epic writers are mythic personages, belonging to the times of which the poems treat, and with a religious right to the credence of their hearers. In almost all other countries the bard has been a sacred character; but his poetic chronicles derived their authority from the sanctity of his caste, or of his order, not of his individual person; he was the reciter of real events; and to have awakened the notion, that any part of the narrative was the embellishment of his fancy, or still more, the creation of his genius, would have chilled, with an unwelcome and unnatural scepticism, this confident and unhesitating faith of his hearers.

In more refined and intelligent times, as poetry becomes more of an acknowledged art, the poet ventures more and more to refer

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to himself. In Greece, the elegiac and amatory writers were the first who transcribed their own sentiments, and demanded the sympathy of their readers in their own feelings. The poets who treated familiar and every day topics, the satirists, and moral writers, particularly at Rome (as in the instance of Horace, that perfection of poetical egotists of this class), of course indulged without scruple in this personal conversation with their readers; but the later epic poets, in this respect, apparently with an intuitive sense of its propriety, followed, though less closely, the older example. They were attempting to create a new world—to throw back their readers into ancient and forgotten times—to make the mythic periods of history live again in their imagination: and they seemed to fear lest they should destroy their own illusion, and dissipate the spell which they had attempted to utter, if they should rudely call them back to considerations personal to themselves, and remind them that they were listening only to a poet of the Alexandrian or Augustan age. In the Æneid, Virgil ventures some few allusions to his times, not to his person; but this is excusable to us, perhaps it was so to his own contemporaries, from the importance of those times to the common estimation of mankind. The era of the Cæsars, from its grandeur, is almost as exciting to the imagination as the older mythic and fabulous times. The modern epic writers, Dante alone excepted, if we may class him among them, scarcely departed much farther from this strict self-concealment; the poet addresses his hearers, as it were, on his own authority; his genius or his inspiration; he is become a well-known and conventional character; he begins in the first person 'Canto l'arme pietose:' but for this he had the precedent of Virgil and of Ovid. Virgil, however, seems to have rejected the four preliminary lines of the Æneid, 'Ille ego qui quondam,' and contented himself with the simple commencement, 'Arma virumque cano.' Milton, in the opening of Paradise Lost, by substituting a still higher inspiration to that which Homer supplicates from the Muses, as it were invests his own personality, even while he is addressing us in his own person, in a kind of sacred and mysterious cloud; and almost confines his own individual appearance to the opening of his poem: having unclosed the gates of his visionary realm, he does not force himself upon us further as a guide, but leaves us in the shadowy world which he has created, in the regions of fire, in the celestial mansions, or in the garden of Eden, with nothing to recall us to our ordinary diurnal sphere. Once indeed again, and that in a passage of the deepest and most affecting pathos, he alludes to himself—to his exclusion from the light of day; but this, too, is during a conventional pause in the narrative, at the commencement

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commencement of a new book. And in Milton, this self-exclusion is the more extraordinary, as, in general, no writer seems so completely concentered in his own individual being. In his smaller poems, and in his prose writings, it is Milton with all the devout aspirations, the sublimities of thought and feeling, the passions, the antipathies, the stern sectarianism, which attunes every verse, and gives energy to almost every sentence; which is the argument of almost every one of the noble Sonnets; inspires the strange, paradoxical, but at times lofty, Platonism of the Doctrine and Discipline of Divorce; and swells the full eloquence of the Areopagiticon.

It is the intuitive perception, therefore, of the beauty and propriety of the antique model, which inspires this self-restraint on Milton in his larger poems. Dante alone, we have observed, is a complete exception; and as Dante is the first great Christian poet, perhaps the only one (of those popularly called epic writers), who is entirely free from the influence of classical example, we are disposed to think that Christianity has not been without effect in the greater frequency with which modern poetry has mingled up the poet with his poem. We cannot pause to develope this at length; we will only suggest the greater importance, which the inward workings of the soul, the psychology, if we may use the word, have assumed, not merely to men in general, but to each individual man, under the stronger sense of the immortality of the soul and of future retribution.

This extraordinary privilege of the greatest poets thus, as it were, to annihilate themselves, to become the pure essence of poetry—the quickening spirit of their songs—the music from an unseen instrument—certainly gives the highest notions of the wonderful powers of the human mind. It is the most vigorous effort of genius—the most perfect order of Poetry. This class of poets, of course, rarely, if ever, indulge in occasional poetry. Their poetic observation of external nature, their inward feelings and affections, find no immediate vent in verse; they are treasured up and afterwards reproduced in their vivid creations. Their local descriptions, if, as Homer's are said to be, of the most minute and living fidelity, still are only accessories to the general design; they have no direct relation to any impression made by them on the poet's mind, no sacred associations with his feelings; they may lead to an inference that such scenes were familiar to the poet, but they disclose nothing farther of his individual existence. The poet has willingly abandoned his own separate and distinctive being to be a voice from distant ages, a vivifying spirit which converses with mankind, not by any corporeal agency, but is resolved, as it were, into his poem, like the bird which is said to throw its whole life

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life into its song; the song still thrills and vibrates through the air, but the bird has ceased to exist.

Yet, on the other hand, that kind of poetry which is the expression of the thoughts and feelings of the individual poet, which echoes back to the world the language with which itself is addressed by nature, is not without its peculiar interest, and has some charm, which we seek in vain in the more abstract and purely ideal style. As it requires perhaps a less powerful effort of the imagination in the poet, so it exacts less exertion on that of the reader. There is an instantaneous impression of the truth and reality of the feeling, because it has been actually felt; more especially when the poet is, as it were, a representative of the dominant tone of thought and feeling in his age or country. He is giving a body, a form, an expression to our common sentiments; by our kindred sympathies he is making poets of us; our internal emotions respond at once to the call; and his personality is, as it were, multiplied and perpetuated in ours. He has found language for us, richer, brighter, more musical, than we could ever have uttered, but still appropriate: he is our interpreter; and though he translates our humbler prose into a more lofty and impassioned style, we recognise with delight our own original impulses. The enthusiastic admirer of external nature, when he repeats the verses of Scott on the borders of Loch Katrine, or of Byron on the Rhine, thinks that it is exactly what he would have wished to have said, and would have said, if he had been equally gifted with the 'thoughts that breathe and words that burn.'

Even where the temperament and mental constitution, the idiosyncracy, if we may so speak, of the poet is peculiar;—where he stands aloof from the rest of mankind—either by the elevation of his thought soaring above the ordinary height—by the intensity of his passions almost maddened to an appalling singularity—or, by the circumstances of his life, set apart from the ordinary race of his compatriots;—still there is something in its being a romance of real life, which distinguishes it from that which is purely fictitious. It partakes of that interest which we feel in the wild adventures of a class with which we have few habits and feelings in common, but of whose actual existence and exploits we have no doubt. It is a kind of life different from our own, and such as our own neither has been nor will be; but the strong conviction of its truth gives it an irresistible hold upon our sympathies; and the instinct of curiosity, with regard to all the singularities of our common nature, blends with that sort of contagious emotion, which arises spontaneously within us from well-expressed passion or well-worded aspirations towards the wise or the beautiful, so as to counteract and neutralise the sense of strangeness

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strangeness and want of communion with our own mental or moral character.

And this kind of poetry is probably more acceptable in proportion as the common mind becomes less imaginative. However the true poet may occasionally be exempt from the influences of his time, the progress of knowledge with the mass of readers naturally tends to repress the fancy. Poetic faith requires passive and unreasoning obedience. When we begin to question its truth we destroy its charm. Still there are few so unimaginative as not to delight in the exercise of the imagination. Even if it requires to be humoured and flattered, it is accompanied by so much delight, that, however estranged, we gladly embrace all overtures to reconciliation. Men of this stamp are delighted when poetry will come down to their own sphere; when it will, in some degree, abandon its privilege of dwelling in airy realms, and not only mingle with the actual world, but show that world clearly reflected in the mirror of some human, perhaps familiar, individual. They like thus, as it were, to be led by the hand; to be taught by example how poetry should be felt. The mind derives a kind of adventurous excitement in thus essaying passions which it has never experienced—which may even be totally alien to its own nature. The gentlest beings are moved by the fiercest emotions; not painfully indeed, for the realising effect of the poetry is not complete enough to effect this, but still so as to produce a certain agitation, which perhaps would scarcely have been caused by purely fictitious poetry. The electricity is propagated with greater force by passing through a human agent. There is, we fear too, a less pure and blameless element in the composition of this mingled pleasure. In the reader, as in the poet, (as we shall show hereafter,) vanity, as it is more or less predominant in the character, is mixed up with the more generous and unselfish sympathies. By sharing in the sensations we fancy that we share in the strength and force of the poet's character; by entertaining his thoughts we are but giving utterance to our own; we are constantly assimilating ourself to him, in a manner which we should scarcely suppose possible to an ideal model of excellence; we feel as he feels, think as he thinks; his wisdom is ours; his superiority to the rest of mankind, both in the vehemence of his passions and the depth of his reflections, is assumed, sometimes by the morbid and the feeble, as if it arose out of their own hearts, or were the original birth of their own understandings.

In modern poetry, and even modern imaginative prose, this personality of the author predominates to an unprecedented degree. The external forms of nature and of art, the passions and sentiments of humanity, are constantly presented to us, as

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transferred through the heart and mind of the individual poet. Byron's poetry is all Byron, Wordsworth's all Wordsworth. The French have caught the prevailing fashion, of which they had before, in Rousseau, set us a very influential example. Victor Hugo and La Martine exaggerate even the poetic egotism of our own authors. Goethe, in his general and essential character, belongs to the same class; though his wonderful versatility (what his admiring countrymen call his *vielseitigkeit*), his extraordinary aptitude of assuming any shape or form, enables him at times to cast himself off as it were, and to merge his personality in the characters of his infinitely various drama. In Iphigenia he has caught the pure Greek tone; in Goetz of Berlichingen, the romantic; in Clavigo, that of modern domestic tragedy; but in Faust, with all its wild and preternatural incident, he is there throughout in his proper person, and but thinly concealed; he is there in his singular acute and biting observation on human nature, in the want of fixed and definite principle, in the general vagueness of the moral tone. To this personalism of Goethe we are inclined to attribute much of his superior popularity to the more ideal and abstract Schiller. Scott, in some of his romances, has much of the Shaksperian self-forgetfulness; throws himself entirely, and with total self-abandonment, into his personages. In this point probably the disguise which he chose to assume was not without considerable effect; the mask of concealment could not be permitted to wear the features of the individual face;—and yet there are many of these works in which the attempt to conceal himself utterly fails. No author perhaps has given more of himself in any book not professedly auto-biographical, than Sir Walter has done in Redgauntlet, for example, and the narrative of Chrystal Croftangry. Though in general no poet speaks more plainly in his own person, or mingles more of his individual character with his poetry, than Mr. Southey, still perhaps the less degree of popularity which some of his more inventive poems have attained, may be ascribed to the general craving of the public taste for this kind of gratification, this preference, as it were, of private memoir, or of history mixed up with private memoir, to general history itself. Thalaba, and the Curse of Kehama, were far too high in the airy regions of invention to touch the chord of sympathy in any but minds of a congenial temperament. But the poet who came down and mingled among us; who described his own emotions; who betrayed the privacy of his own passions and affections, seemed to speak an universally intelligible language. Curiosity blended itself with the taste for poetry; men crowded to lectures on the morbid anatomy of the mind, in which the writer submitted himself, as the subject, to their inspection; and some, as is common

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in parallel cases in real science, began to fancy themselves afflicted with the same diseases. All encouraged, by the earnest interest they showed, the exciting spectacle.

The constitution of a character, which thus scruples not to throw open the very inmost sanctuary of the heart and conscience to all the world, is a very curious moral phenomenon. We should have supposed that pride and delicacy would almost invariably be among the constituent elements of a truly poetic mind; pride, which would disdain to make a confidant of any ordinary reader, and to disclose to him without reserve the follies, the weaknesses, perhaps the vices of the inward heart; delicacy, which would instinctively shrink from revealing the privacy of domestic intercourse, or the inclinations of the heart towards some adored and cherished object. Where indeed the poet, by following out certain trains of thought, either has attained, or supposes that he has attained, superior wisdom, happiness, or dignity of character, pride would unite with beneficence, in the desire to impart that valuable secret to mankind; and delicacy, overpowered, we may conceive, by intense grief, might make a sainted and beatified being of one who has been loved and lost, and might call upon the world, like Petrarch, to join in the worship. But the personality of the poet does not always appear either under this dignified, or this holy character. It is sometimes the union of a highly poetic temperament with intense personal vanity, as in Rousseau and Byron, which thus makes itself the medium through which it transmits all its broken and refracted light. Where, as in Byron, the genius is of high order, and throws even the vanity into the shade, we indulge, we approve, by the interest with which we listen to all these private revelations—this splendid egotism. Unfortunately, vanity is too often the sole inspiration; swarms of young Byrons overrun the field of literature, who have made the slight mistake of supposing that Byron was a poet because he told us all about himself; when, it was only because he was a great poet that we felt the least interest in his personal adventures and feelings. Till he had established his fame, Pope would have had too much good sense to suppose that the world would care to know how many small poets crowded to Twickenham, 'happy to catch him just at dinner-time;' to solicit his patronage and flatter those personal deformities, to which he does not scruple to allude in his graceful playfulness.

We would suggest, therefore, that those poetical autobiographers, particularly in such extraordinary cases, must be called upon to produce their diploma, not merely subscribed by their own vanity, but countersigned by public estimation, before they should be allowed to practise. Where the printing-press is

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made the confessional, we would not be too easy and lenient in granting absolution. In these imitative cases indeed the feelings are apt to be as factitious as the expression; it is not spontaneous emotion, not the overflowing of a heart, big and bursting, as it were, with its insupportable burthen, but an elaborate working up of the feelings, a studious effort to be as unfortunate, and miserable, and sometimes as wicked, as possible. The great masters in this art sometimes unconsciously betrayed that they *felt* for effect; but theirs was at least good acting. Bad tragic soliloquy, delivered with unnatural emphasis, deserves and meets with no toleration. The whole beauty, it cannot be too deeply enforced, of this kind of poetry, the sole power which it possesses of affecting the mind with any permanent interest, depends upon the impression of its *truth*. Directly any suspicion of artifice or affectation is raised, the reality, which was its charm, vanishes; it has not the licence of fiction, which belongs to the other kind of poetry, nor the connexion with actual life, which is its own proper characteristic.

Still, as long as this or any other system of composition produces true poetry, we are not inclined to quarrel with it. Though we have thus, coldly perhaps, pursued our analysis, we are ready to throw off our philosopher's cloak, and bask in the sunshine of any pure or delightful emotions which may be excited by verse or prose. Human nature is so various; the vicissitudes of life, and the emotions of the heart and the mind so infinitely diversified; there is so much congeniality, so much *blood*, between all human beings, that the story of the most uneventful life, the impressions of the most ordinary circumstances, the gentle impulses of the most retired and peaceful existence, recorded with simplicity and *truth*, and touched by the light of poetry, may produce a most pleasing effect, even where the wing of the bard is not strong enough for bolder flights. This privilege of moving the hearts of others by our own personal emotions would not, like the kindred taste for autobiography, have been so easily or so frequently abused, if it had not this strong hold on the popular mind. The weariness of the public taste will soon revenge itself by neglect, if it degenerates into sentimentalism or affectation; while wherever it is genuine and real, wherever it finds the right way to the human heart, that heart will open without reluctance, and disclose, in the words of Gray,

'Its sacred source of sympathetic tears.'

We have taken the opportunity of thus disburthening our thoughts on what appears to us an important distinction in poetical criticism, or at least a curious fact in the history of poetry, from the publication of Mr. Bowles's small volume, containing in prose

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prose some reminiscences of his childhood, and some of his sonnets and smaller pieces. We are not aware that the claims of Mr. Bowles, as a poet, have ever received any detailed notice in our journal. Nor are we sorry, at this late period, and towards the decline of his life, to pay some tribute of respect to the sweetness of his verse—its effect, which has not been unimportant, on the poetry of the day—and the singularly benevolent and amiable simplicity of his character, as it appears in all his writings. Some of our most distinguished poets have acknowledged their obligations to Mr. Bowles. Mr. Coleridge (in his Biographia Literaria) describes the awakening impulse of Mr. Bowles's sonnets on his own fertile and inventive mind; he describes himself as strongly moved 'by the genial influence of a style of poetry so tender yet so manly, so natural and real, and yet so dignified and harmonious.' Mr. Southey, in the very elegant preface to the new edition of his works, speaks with the same grateful recollection of their impression upon his own feelings. There is a pleasing incident relating to Mr. Southey, in the preface to the volume before us. Mr. Bowles's first appearance before the public was as the author of fourteen sonnets, published at Bath, with the praiseworthy, but not, as appeared at first, very hopeful design of defraying some Oxford debts, which his parents could ill afford to pay. The bookseller would only venture on a very small edition, which was soon exhausted. Mr. Bowles says:—

'Soon after this third edition came out, my friend, Mr. Crutwell, the printer, wrote a letter saying that two young gentlemen, strangers, one a particularly handsome and pleasing youth, lately from Westminster School, and both literary and intelligent, spoke in high commendation of my volume, and, if I recollect right, expressed a desire to have some poems printed in the same type and form. Who these young men were I knew not at the time, but the communication of the circumstance was to me most gratifying, and how much more gratifying, when, from one of them, after he himself had achieved the fame of one of the most virtuous and eloquent of the writers in his generation, I received a visit at my parsonage in Wiltshire upwards of forty years afterwards! It was Robert Southey—we parted in my garden last year, when stealing time and sorrow had marked his still manly, but most interesting countenance.'

Lord Byron likewise spoke in favourable terms of Mr. Bowles's 'Missionary,'* which, on the whole, we think the most pleasing of

* The opening of this Poem is very sweet and fanciful:—

'Summer was in its prime; the parrot flocks
Darken'd the passing sunshine on the rocks;
The Chrysomel and purple butterfly,
Amid the clear blue light, are wandering by;

The

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of Mr. Bowles's *inventive* poems. But it is this influence of Mr. Bowles's poetry on minds like those of Coleridge and Southey which points out his proper place, and the importance of his influence, in the history of English poetry. Mr. Bowles's earliest, if not his best, certainly his most affecting and popular poetry, was strictly *personal*. It was the simple, gentle, and peculiarly harmonious expression of his own feelings; nature was described solely as it harmonised with his tone of sentiment, and mingled with the emotions of his heart. Without great force, there was a tenderness which could not but create a favourable impression; and the melancholy, tempered with Christian resignation, created perhaps a more lively interest, from the greater novelty and originality of that kind of poetry when the *Sonnets* first appeared.

Cowper, indeed, perhaps Young, had before prepared the way, and materially assisted in the development of this kind of poetry. But the peculiar religious sentiments of Cowper, at that time still less in accordance with any considerable section of the community than they would be at present, set him, to a certain degree, apart from the world; and it was not till his fame was established, that he came more and more forward in his proper person, and ventured to hope that the incidents and circumstances of his peaceful and retired life could have any interest for others. It was in the Task, and the smaller pieces of that period, that he became so much a personal poet; and certainly nothing can show the charm of perfect truth, the exquisite magic of real poetry, more strongly, than the manner in which Cowper throws a fascinating and delightful interest over anything so flat and uninviting as Olney and its neighbourhood, the trivial circumstances of his every-day life, and the narrow, and, however amiable, certainly very unre-

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The humming-bird, along the myrtle bowers,
With twinkling wing, is spinning o'er the flowers;
The woodpecker is heard with busy bill,
The mockbird sings—and all beside is still.
And look! the cataract that burst so high
As not to mar the deep tranquillity,
The tumult of its dashing fall suspends,
And stealing, drop by drop, in mist descends,
Through whose illumined spray, and sprinkling dews,
Shine to the adverse sun the broken rainbow hues.
'Checkering with partial shade the beams of noon,
And arching the grey rock with wild festoon,
Here its gay network and fantastic twine
The purple cogul threads from pine to pine,
And oft as the fresh airs of morning breathe,
Dips its long tendrils in the stream beneath.
There, through the trunks with moss and lichens white,
The sunshine darts its interrupted light,
And, mid the cedar's darksome boughs, illumes,
With instant touch, the lori's scarlet plumes.'

markable

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markable society in which he lived. The scenery of Buckinghamshire owes as much to the verse of Cowper as that of the Low Countries to the colouring of Hobbima or Cuyp.

Cowper tempts us to another digression, which we trust the reader will pardon. Personal poetry varies in its degree of relation to the temperament and to the circumstances of the individual writer. It is sometimes merely the expression of the ordinary feelings of our nature, the parental or the conjugal affections, love, with its ordinary hopes and disappointments, the common joys and the common sorrows, the social happiness, or the bereavement, which are the varied but universal lot of mortality. Sometimes it is more completely identified with passions of singular vehemence, incidents of rare occurrence, and moral phenomena which can only awaken a more remote and less active sympathy. The case of Cowper will illustrate both. Those only whose views of Christianity, if not the same as afflicted the disturbed intellect of that amiable man, yet approximate to them, will fully identify themselves with his dark and harrowing expressions. Those whose Christianity is more cheerful, and more truly Christian—(to say nothing of those who have no Christianity at all in their hearts)—will not have the same immediate and direct community of feeling with Cowper—will require a stronger effort of the imagination to realise that of which, however, they cannot but recognise the truth; it will only have the general claim of human nature upon the interest, not that of being the impersonation of what either has passed or may actually pass through our own hearts, of being our own *experiences*, to borrow the word of that religious party, reflected back upon us. On the other hand, with that vast proportion of mankind who have, in a greater or less degree, felt and returned the maternal affection, those exquisite lines 'on his mother's picture' find their way at once to the depths of the heart—they strike on a common chord which vibrates through almost all the race. In this case all the smaller circumstances individualise the incident, but the emotion, to which it appeals, is a part of our general nature—they are the fine and minute touches which give reality and actual existence to the scene, but it is the general resemblance to universal nature which arrests and enchains our attention. This piece is so familiar to all admirers of poetry, that we shall take the liberty of exemplifying our position by some lines, less known, and differing perhaps from Cowper's as being more strictly a family portrait, still with sufficient relation to the common feeling to render them, if we may so speak, common property—to find in their calm but deep tone an echo from the general human heart:—

'Ye who approach her threshold, cast aside
The world, and all the littleness of pride; Come

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Come not to pass an hour, and then away,
Back to the giddy follies of the day;
With reverent step and heav'n-directed eye,
Clad in the robes of meek humility,
As to a temple's hallow'd courts, repair,
And come the lesson, as the scene, to share.
Gaze on the ruin'd frame and pallid cheek,
Prophetic symptoms, that too plainly speak!
Those limbs that fail her as she falters by;
Pangs, that from nature will extort a sigh;
See her from social intercourse removed,
Forbid to catch the friendly voice she loved;
Then mark the look composed, the tranquil air,
Unfeign'd contentment still enthroned there.
The cheerful beams, that, never quench'd, adorn
That cheek, and gladden those who thought to mourn;
Benignant smiles for all around that shine,
Unbounded love, and charity divine!
This *is* religion—not unreal dreams,
Enthusiast raptures, and seraphic gleams;
But Faith's calm triumph—Reason's steady sway,
Not the brief lightning, but the perfect day.

* * * * *

'Her have I seen assail'd by deepest woe,
O'erwhelming desolation's sudden blow;
How much she felt, the body's ills display;
From that dread hour began the slow decay.
Yet she, who quiver'd at another's pain,
Her own with stoic firmness could sustain;
Stood unsubdued—but meekly kiss'd the rod,
And took with patience all that came from God;
And curb'd her grief, when sorrow's cup ran o'er,
Lest those who saw her weep should weep the more.

'Her have I seen when death was at her side,
And Hope no longer to our prayers replied,
Nor then celestial visions blest her sight,
Or angels waiting for the spirit's flight;
Awe she confest—but awe devoid of fear,
In death, as life, who knew her Maker near.
Yet she, whose claim (if any may) will prove
Sure of the joys that crown the just above,
Humbly preferr'd no title of her own,
And on redeeming grace reposed alone.
In acts of prayer life's ebbing moments past,
Or acts of love, benignant to the last.
Nor one forgot, nor fail'd to recommend
Each poor dependant—name each valued friend;

And,

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And, most resign'd to summons all but given,
Still human, grieved to leave us, though for heav'n.

'Nor hers alone the virtues that require
Some stroke of fate to rouse their latent fire;
Great for an hour, heroic for a scene,
Inert through all the common life between;
But such as each diurnal task perform,
Pleased in the calm, unshaken by the storm.
In her had nature bounteously combined
The tend'rest bosom with the strongest mind;
Sense that seem'd instinct, so direct it caught
The just conclusion, oft refused to thought;
Simplicity of heart, that never knew
What meant the baubles which the world pursue:
All these, by not a taint of self alloy'd,
All these were hers—for others all employ'd.
To seek the haunts of poverty and pain,
Teach want to thrive, and grief to smile again;
To guide young footsteps to the right, and win
The old in error from the ways of sin;
To ease the burthens of the human race,
Mend ev'ry heart, and gladden ev'ry face,
She lived and breathed—not from the world estranged,
But moved amongst it, guileless and unchanged;
Still loved to view the picture's brighter side;—
The first to cherish, and the last to chide.

'For this around the time-struck ruin wait
Admiring crowds, the lowly and the great;
Thither for this the young, the good, repair,
And watch, and tend, with unremitted care;
For this the orphans of the village bring
Unbidden gifts, the earliest wreath of spring,
Homage, that scarce encircles youth or power,
In court of king's, or beauty's vernal bower.
Thus cheer'd, yet thus forbid to labour more,
Wanting herself the aid she gave before;
When feeble mortals peevishly complain,
Regret past pleasures, and survive in vain;
She, like the silver lamp, that, night and day,
Before some altar sheds its hallow'd ray,
Serenely shines, in pure effulgence bright,
With pious lustre, and attractive light;
Dispels the black'ning shades that gather round,
And guides the wanderer to the sacred ground.'

Poems by Henry Gally Knight, Esq., 4th Edit. 1837.

To return to Mr. Bowles. The volume before us contains some reminiscences of the poet's earliest youth, related with the amiable garrulity of age. The chief incident is a visit to an old man

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man of ninety, whom Mr. Bowles found living in the parish of which his father had been the clergyman—

'The old man's solitary cottage hung near the summit of a small green croft. It was a beautiful morning of May. The blackbird was heard, in the distance; nearer, the wren was in her richest song. The murmuring bee, and the silent butterfly were abroad in the sunshine, circling over the old man's seat. The sound of the sea was faintly heard, as when, by the side of my mother, a child, I heard it, after a long journey, upwards of sixty years ago. The old man, with a few white hairs sprinkling his temples, was sitting in a garden-chair, opposite his cottage. One butterfly, which was wheeling and wavering over his chair, almost touched his bare temples, as he was sitting, without his hat, for the sake of the morning breeze, which just moved, at times, a slender flake of his white and shining hair. He took scarcely any notice of me, when, with my informant, I drew near.'—pp. vi. vii.

Mr. Bowles made himself known, as the 'Master Billy,' of the old man's early remembrance—

'The old man stretched out his hand, as if to touch my face; but when he saw the traces of age, and my own gray hairs, he seemed still in doubt, and then, lifting up his palsied hand, with tears, as if all the glimmering past had, like a sudden burst of sunshine, started into light and life, he cried, "Master Billy!" and the tears fell on his furrowed face. On a subsequent visit in 1834, when I was alone,—seeing, I suppose, a resemblance to my father in features, which resemblance more visibly assimilates as a son grows older,—with both hands raised and clasped, he faintly exclaimed, "My old master! my dear old master!"'—p. ix.

After the death of the elder Mr. Bowles, this good specimen of our rural unpauperised poor had lived with another master as garden-labourer—

'thirty years—always the earliest at his work on Monday, and always the first in his place on Sunday, in the front of the gallery at church. Thus he had lived fifty years, with two masters, till the death of both: and at the death of the last, in recompense for his fidelity, honesty, and sobriety, Colonel Rogers left him by will, for his life, the picturesque cottage and garden which I have described. There he has lived, since his labours upon earth were concluded—tended by one dutiful daughter—and there he yet lives at the time I am writing this.'—p. x.

We will add Mr. Bowles's sonnet on this good man—

'Old man, I saw thee in thy garden chair,
Sitting in silence, 'mid the shrubs and trees
Of thy small cottage-croft, while murm'ring bees
Went by, and almost touch'd thy temples bare,
Edged with a few flakes of the whitest hair;
And soothed by the faint hum of ebbing seas,
And song of birds, and breath of the young breeze,
Thus didst thou sit, feeling the summer air

Blow

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Blow gently,—with a sad still decadence,
Sinking to earth in hope, but all alone:—
Oh! hast thou wept to feel the lonely sense
Of earthly loss, musing on voices gone?
Hush the vain murmur, that, without offence,
Thy head may rest in peace beneath the church-yard stone.'

—pp. x. xi.

Mr. Bowles has recorded his removal to this new home, which took place at a very early period of his life, almost when he was an infant, and the anecdotes he tells of his adventures are certainly very infantine. We will allow him, however, to describe it in his verse, for his poetry is always best when it dwells on external nature and on himself. He is apt to touch other human beings, when he introduces them into verse, with too much of the gentleness of his own nature, which softens away the features of individual character, and altogether weakens the general expression—

'I was a child when first I heard the sound
Of the great sea!—'Twas night and journeying far,
We were belated on our road, mid scenes,
New and unknown—a mother and her child,
Now first in this wide world a wanderer,
My father came, the pastor of the church,
That crowns the high hill crest above the sea;
When, as the wheels went slow, and the still wind
Seem'd listening, a low murmur met the ear,
Not of the winds—my mother softly said,
"Listen! it is the sea." With breathless awe
I heard the sound, and closer press'd her hand.

'Much of the sea, in infant wonderment,
I oft had heard, and of the shipwreck'd man,
Who sees, on some lone isle, day after day,
The sun sink o'er the solitude of waves,
Like Crusoe; and the tears would start afresh,
Whene'er my mother kiss'd my cheek, and told
The story of that desolate wild man,
And how the speaking bird, when he return'd
After long absence to his cave forlorn,
Said, as in tones of human sympathy,
"Poor Robin Crusoe!"—Thoughts like these arose
When first I heard, at night, the distant sound,
Great Ocean, of "thy everlasting voice!"
Where the white parsonage amid the trees
Peep'd out—that night I restless pass'd—"The sea!"
Fill'd all my thoughts; and when slow morning came,
And the first sun-beam streak'd the window pane,
I rose unnoticed, and with stealthy pace—
Straggling along the village green—explored

Alone,

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Alone, my fearful but adventurous way;
When having turn'd the hedge row, I beheld,
For the first time, thy glorious element,
Old Ocean, glittering to the beams of morn,
Stretching far off, and westward, without bound,
Amid thy sole dominion rocking loud!
Shivering I stood, and tearful; and even now—
When gathering years have mark'd my look—even now
I feel the deep impression of that hour,
As but of yesterday.'

The above is an extract from Mr. Bowles's poem of Banwell Hill, which, besides these pleasing lines, contains some excellent descriptions of scenery, and of our rural population; with something too much of the evils of geology, manufactures, the old poor-law, political economy, and Calvinism. Mr. Bowles writes on these subjects rather too much from his impulses; and he is too good a man, and of a disposition too kindly, to be a very powerful satirist. He is better on the many objects of his love, than on the few of his aversion—though his personal experience of the evil of itinerant ranting will have weight with all sober and candid minds. Let us, however, revert to Mr. Bowles himself—we shall not of course presume to lift the veil which he has partially withdrawn, from the hopes, and sorrows, and disappointments of his early life, but we shall select some of the sonnets, inserted in the present volume, which dwell on these circumstances, leaving them to tell their own story—and looking rather to the grace of expression and the melody of versification than to the inward meaning of these significant strains:—

Landing at Tynemouth, Northumberland, after a tempestuous voyage from Southampton.

'As slow I climb the cliff's ascending side,
Much musing on the tract of terror past,
When o'er the dark wave rode the howling blast—
Pleased I look back, and view the tranquil tide
That laves the pebbled shore: and now the beam
Of ev'ning smiles on the gray battlement
Of yon forsaken tow'r that Time has rent:—
The lifted oar far off with transient gleam
Is touch'd, and hush'd is all the billowy deep,
O'er-spent: oh! when, on wakeful memory's breast
Shall stillness steal, like this, and kindred rest?
Then some sweet harmonies might soothe her sleep,
Harmonics, on the wandering minstrel's lyre,
Like airs of parting day, that, as they breathe, expire.'

'O Time! who know'st a lenient hand to lay
Softest on sorrow's wound, and slowly thence—
Soothing to sad repose the weary sense—
Stealest the long-forgotten pang away; Thee,

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Thee, would I call my only hope at last,
And think—when thou hadst dried the bitter tear
That flow'd in vain o'er all my soul held dear,—
I might look back on youthful suff'rings past,
To meet life's peaceful evening with a smile;
As some lone bird, at day's departing hour,
Sings in the sunbeam of the transient show'r,
Forgetful, though its wings are wet the while:—
But ah! how much must that poor heart endure,
Which hopes from thee, and thee alone, a cure!'

'*Ostend. On hearing the Bells at Sea.*

'How sweet the tuneful bells' responsive peal!
As when, at opening dawn, the fragrant breeze
Touches the trembling sense of pale disease,
So piercing to my heart their force I feel!
And hark! with lessening cadence now they fall,
And now, along the white and level tide,
They fling their melancholy music wide!
Bidding me many a tender thought recall
Of happy hours departed, and those years
When from an antique tow'r ere life's fair prime
The mournful magic of their mingling chime
First waked my wond'ring childhood into tears!
But seeming now, when all those days are o'er,
The sounds of joy ONCE HEARD, and HEARD NO MORE.'

'*At Ostend, Landing.*

'The orient beam illumes the parting oar—
From yonder azure track, emerging white,
The earliest sail slow gains upon the sight,
And the long wave comes rippling to the shore:
Meantime far off the rear of darkness flies:
Yet, 'mid the beauties of the morn, unmoved,
Like one for ever torn from all he loved,
Back o'er the deep I turn my longing eyes,
And chide the wayward passions that rebel.
Yet boots it not to think or to complain,
Musing sad ditties to the reckless main:
To dreams like these, adieu!—the pealing bell
Speaks of the hour that stays not—and the day
To life's sad turmoil calls the heart away.'

'*On the Rhine.*

''Twas morn, and beautiful the mountain's brow,—
Hung with the clusters of the bending vine—
Shone in the early light, when on the RHINE
We sail'd, and heard the waters round the prow
In murmurs parting;—varying as we go,
Rocks after rocks come forward and retire,
As some grey convent-wall, or sunlit spire
Starts up, along the banks, unfolding slow.

Here,

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Here, castles, like the prisons of despair,
Frown as we pass!—There, on the vineyard's side,
The bursting sunshine pours its streaming tide;
While Grief, forgetful amid scenes so fair,
Counts not the hours of a long summer's day,
Nor heeds how fast the prospect winds away.'

'*Evening—Crossing the Scheldt, at Antwerp.*

'Evening, as slow thy placid shades descend,
Veiling with gentlest hush the landscape still,
The battlement, the tower, the farthest hill
And wood—I think of those who have no friend,
Who now, perhaps, by melancholy led,
From the broad blaze of day, where pleasure flaunts
Retiring, wander to the ring-dove's haunts
Unseen;—and watch the tints that o'er thy bed
Hang lovely, oft to musing Fancy's eye
Presenting fairy vales, where the tired mind
Might rest, beyond the murmurs of mankind,
Nor hear the hourly moans of misery!
Alas! for man, that hope's fair views the while,
Should smile like these, and perish as they smile!'

'*On accidentally meeting a Lady now no more.*

'When last we parted, thou wert young and fair—
How beautiful let fond remembrance say!
Alas! since then old Time has stol'n away
Nigh forty years, leaving my temples bare:—
So hath it perish'd like a thing of air,
The dream of love and youth:—We now are grey;
Yet still rememb'ring youth's enchanted way,
Though time has changed my look, and blanch'd my hair,
Though I remember one sad hour with pain,
And never thought—long as I yet might live—
And parted long—to hear that voice again—
I can a sad, but cordial greeting, give,
And for thy welfare breathe as warm a pray'r,
LADY, AS WHEN I LOVED THEE YOUNG AND FAIR!'—pp. 21-38.

These all relate to Mr. Bowles's first Fytte. We pass on to what he calls 'another occasion.' What mysterious, but apparently indifferent words, we select, in age, for incidents which in youth absorbed our whole being!

'*November*, 1793.

'There is strange music in the stirring wind,
When lowers the autumnal eve, and all alone
To the dark wood's cold covert thou art gone,
Whose ancient trees on the rough slope reclined

Rock,

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Rock, and at times scatter their tresses sear.
If in such shades, beneath their murmuring,
Thou late hast pass'd the happier hours of spring,
With sadness thou wilt mark the fading year;
Chiefly if one, with whom such sweets at morn
Or evening, thou hast shared, far off shall stray.
O, spring, return! return, auspicious May!
But sad will be thy coming, and forlorn,
If she return not with thy cheering ray,
Who from these shades is gone far far away.'

'*May*, 1794.

'How shall I meet thee, Summer, wont to fill
My heart with gladness, when thy pleasant tide
First came, and on the coomb's romantic side
Was heard the distant cuckoo's hollow bill?
Fresh flowers shall fringe the margin of the stream,
As with the songs of joyance and of hope
The hedge-rows shall ring loud, and on the slope
The polars sparkle in the transient beam;
The shrubs and laurels which I loved to tend,
Thinking their May-tide fragrance would delight,
With many a peaceful charm, thee, my poor friend,
Shall put forth their green shoots, and cheer the sight!
But I shall mark their hues with sadder eyes,
And weep the more for one who in the cold earth lies!'
—pp. 83—85.

We are inclined to add one more of a later period—

'*On hearing the Messiah performed in Gloucester Cathedral, Sept.* 18, 1835.

'Oh, stay, harmonious and sweet sounds, that die
In the long vaultings of this ancient fane,
Stay! for I may not hear on earth again
Those pious airs—that glorious harmony,
Lifting the soul to brighter orbs on high,
Worlds without sin or sorrow!——Ah, the strain
Has died—e'en the last sounds that lingeringly
Hung on the roof ere they expired!——And I—
Stand in the world of strife, amidst a throng,
A throng that recks not or of death, or sin!
Oh jarring scenes! to cease, indeed, ere long;
The worm hears not the discord and the din.
But he whose heart thrills to this angel song
Feels the pure joy of heav'n on earth begin.'—p. 97.

As an example of Mr. Bowles's felicity in local description, we will quote the lines, which seem to be his own especial favourites;

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vourites; and which illustrate in a very vivid manner our observations as to the difference of such descriptions, when wrought up, by the plastic power of the imagination, to an ideal reminiscence, yet without any departure from its fidelity, and that which is forced out fresh and immediate from the feelings and thoughts with which it has blended in the poet's mind:—

'*Brockley-Coombe.*

'Gnarled oaks,
Dark, or with fits of desultory light,
Flung through the branches, *there*, o'erhang the road
Where, under boughs romantic, Brockley-Coombe
Allures the pausing passenger to wind,
Step by step up its sylvan hollow, slow,
Till the proud summit gain'd, how gloriously
The wide scene lies in light—how gloriously,
Sun, shadows, and blue mountains far away,
Woods, meadows, and the mighty Severn—blend;
While the grey heron up-shoots, and screams for joy!
Here, the dark yew starts from the limestone rock
Into faint sunshine,—*there*, the ivy hangs
From the old oak, whose upper branches, bare,
Seem as admonishing the nether woods
Of Time's swift flight,—while birds beneath, unseen,
(Save thro' the gloom a blackbird's yellow bill,)
The thrush, the blackbird, and, at intervals,
And heard far off, the cuckoo's hollow note,
Make such a concert, that, with ears erect,
The squirrel seems to hark, and then to dance,
With conscious tail aloft, and twinkling feet,
Nimbler, from bough to bough.
'Look! ere we climb
The slow ascent, beneath the branching oaks
One peeping cot sends up, from out the trees,
Its early wreath of slow-ascending smoke.
And who lives in that far-secluded cot?
Old Dinah: she was once a serving maid,
In neat attire, and smiling as a flower,
The modest primrose of the forest-brake,
And happy as a bird, that sings all day
In the green lane; now aged and alone,
She wanders forth to gather a few sticks,
At morn or eve, which in her hand she bears
To light her slender fire, when the long nights
Come down; a basket hangs on her left arm,
Her right hand holds a staff, not to support
Her tottering steps, for she is still upright,
But to fence off the barking village dogs;
And so she wanders thro' the woods, and sings,

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At times, a broken tune of happier days;
Still gentle, and still gently welcoming
The enquiring stranger, to her woodland home.
Yet there, sometimes, in moping dreaminess,
She sits all day, while phantom forms flit by,
Vanishing only when the sounding bill
Of the green woodpecker is nearer heard,
Tapping the trunk of the old sycamore
That shades her southern window, when the bee
Comes murm'ring forth again.'—*Preface*, pp. 21-23.

If our readers would extend their acquaintance with Mr. Bowles, as a more imaginative poet, and as identifying himself with the feelings of others, we cannot better do him justice than by quoting the lines inscribed 'Abba Thule, Father of Lee-Boo:'*—

'I climb the highest cliff: I hear the sound
Of dashing waves; I gaze intent around:
I mark the grey cope, and the hollowness
Of heaven, and the great sun, that comes to bless
The isles again; but my long-straining eye
No speck—no shadow—can, far off, descry,
That I might weep tears of delight, and say,
"It is the bark that bore my child away!"

'Sun, that returnest bright, beneath whose eye
The worlds unknown, and outstretch'd waters, lie,
Dost thou behold him now? On some rude shore,
Around whose crags the cheerless billows roar,
Watching the unwearied surges doth he stand,
And think upon his father's distant land?
Or has his heart forgot, so far away,
These native woods, these rocks, and torrents grey,
The tall bananas whispering to the breeze,
The shores, the sound of these encircling seas,
Heard from his infant days, and the piled heap
Of holy stones, where his forefathers sleep?

'Ah, me! till sunk by sorrow, I shall dwell
With them forgetful in the narrow cell;
Never shall time from my fond heart efface
His image; oft his shadow I shall trace
Upon the glimmering waters, when on high
The white moon wanders through the cloudless sky.
Oft in my silent cave (when to its fire
From the night's rushing tempest we retire)
I shall behold his form, his aspect bland;
I shall retrace his footsteps in the sand;
And, when the hollow-sounding surges swell,
Still think I listen to his echoing shell.

* 'See History of the Palew Islands.'

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'Would I had perish'd ere that hapless day,
When the tall vessel, in its trim array
First rush'd upon the sounding surge, and bore
My age's comfort from the sheltering shore!
I saw it spread its white wings to the wind—
Too soon it left these hills and woods behind—
Gazing, its course I follow'd till mine eye
No longer could its distant track descry;
Till on the confines of the billows hoar
Awhile it hung, and then was seen no more,
And only the blue hollow cope I spied,
And the long waste of waters tossing wide.

'More mournful then each falling surge I heard,
Then dropt the stagnant tear upon my beard.
Methought the wild waves said, amidst their roar
At midnight, "Thou shalt see thy son no more!"

'Now thrice twelve moons thro' the mid heavens have roll'd,
And many a dawn, and slow night, have I told;
And still as every weary day goes by,
A knot recording on my line I tie;
But never more, emerging from the main,
I see the stranger's bark approach again.
Has the fell storm o'erwhelm'd him? Has its sweep
Buried the bounding vessel in the deep?
Is he cast bleeding on some desert plain?
Upon his father did he call in vain?
Have pitiless and bloody tribes defiled
The cold limbs of my brave, my beauteous child?

'Oh! I shall never, never hear his voice;
The spring-time shall return, the isles rejoice;
But faint and weary I shall meet the morn,
And 'mid the cheering sunshine droop forlorn!

'The joyous conch sounds in the high wood loud,
O'er all the beach now stream the busy crowd;
Fresh breezes stir the waving plantain grove;
The fisher carols in the winding cove;
And light canoes along the lucid tide
With painted shells and sparkling paddles glide,—
I linger on the desert rock alone,
Heartless, and cry for thee, my Son, my Son.'—pp. 16-19.

We thus bid farewell to Mr. Bowles, wishing that the decline of his now advanced years may be as gentle, happy, and peaceful as that Christianity, which he has commended throughout by his life and all his writings, can make it. Whatever be his poetic immortality, may his hopes of that better immortality heighten as he advances towards it!

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ART. VIII.—*Hints on Scriptural Educatim, and on Instruction, by Catechising; intended for the use of the Superintendents of Parochial Schools. A Charge delivered to the Clergy of the Archdeaconry of Salop, in June,* 1835. By Edward Bather, M.A., Archdeacon of Salop. London. 8vo.

A SHORT time ago we ventured upon a few remarks on *Village Preaching*—we will now follow them up by a few more on *Village Schools;* in neither case affecting any other philosophy than such as belongs to a working-day world. With respect to the establishment of national schools in country parishes (and to country parishes we mean to limit our observations), we cannot witness the attempts now made from time to time, and especially in the proposed bill of Lord Brougham—(which differs from his former one by its provisions being extended from towns with municipal corporations, to the whole kingdom)—to take the education of the rural population out of the hands of the clergy, with whom it at present rests, and with whom it is natural it should rest, and to lodge it elsewhere, without the reflection presenting itself very forcibly, *how much derangement, both fiscal, moral, and religious, would ensue from such a transfer;* how much existing machinery for the purposes of education, actually working well, every year increasing in efficacy, and promising eventually, and before long, to embrace in its operation the whole body of the peasantry, it is proposed to disorganise and break up. We shall confine ourselves to this single argument.

Looking at the parishes around us, from the spot where we write—(and we challenge the same survey elsewhere)—we find them almost all furnished with schools; some daily, some Sunday schools only; the latter, however, constantly expanding into the other; but both begun and continued by the clergy. We see the schoolrooms sometimes built by local subscriptions at their suggestion, and to which they are themselves chief contributors; sometimes converted out of tithe-barns, or other superfluous buildings attached to the parsonage, in the disposal of which they have an absolute control. We see funds provided for the salary of the master or mistress, the purchase of books and other necessaries, through the same channel; with or without the aid of weekly contributions from the children, which, if any, are in all cases so small, as to be only enough to stimulate the appetite for knowledge by putting it at a price. We see clothing clubs very frequently grafted upon these schools, the *bonus* still raised from the same quarters as before, and through the same exertions; an incidental, but still a very wholesome adjunct to scholastic education, inculcating prac-

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tical lessons, not less valuable than Mr. Wilderspins', of order, frugality, foresight, and self-dependence. We see the clergy in their parish-rambles dropping in upon these schools often and unawares; working them for an hour themselves; animating the system; keeping teachers and scholars wide awake; exercising again, through their wives and daughters (at least as much alive to the welfare of the schools as themselves), a narrow inspection into the works and ways of the girls that resort to them; which, under such superintendence, become the cunabula of diligent housewives, the future mothers of the hamlet. We see the clergyman, the *custos morum* of the parish, by means of these schools, put in a condition to be so with effect; enabled to discover the character and conduct of every family in it, by representatives which faithfully reflect it at the school; qualified through such information for applying endless correctives in the right place, of a minute kind perhaps, but by their aggregate amount, and personal propriety, more successful, it may be, for the reformation of morals than all the sermons he delivers; his reproofs, on such occasions, felt to fall gracefully by the parents, and well received by them, because evidently prompted by the interest he is taking in their own flesh and blood; and having weight besides, because founded, as they would themselves confess, in accurate knowledge of facts. We see, in short, in a school in a country parish, on its present construction, a sort of small Exchange, where the minister learns all that is going on which requires his interference within the district that belongs to him; so that half an hour's visit to the school (drawing its tributaries, as it does, from every corner of that district) acquaints him perhaps with particulars that put him in motion for the week. For here he learns who are sick, who out of work, who leaving the parish, who coming into it, with a hundred other matters, with which the children come charged, too trivial to name, but an acquaintance with which on the part of the minister greatly conduces to the comfort, order, and regularity of his people, and to the usefulness of his office. We further see this same functionary acting in his vocation as a dispenser of knowledge in the parish, whilst he appeals to the farmer for his pecuniary help to diffuse it; bringing before him, amongst other and higher considerations, the bearing of education upon the security of his property, the habits of his labourers, the amount of his rates; till, yielding partly to the force of the argument, and partly to kindly feelings for the advocate, he gives his guinea. We see much humanity imparted by these homely colloquies, these clinical lectures on the advantages of learning—much prejudice removed—much sympathy fostered—and besides all this, an exchequer furnished for a war against ignorance, without tax, warrant,

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warrant, or officer. But, above all, we see the clergyman as the accredited teacher of religion in the parish, possessing, in these schools, an instrument for the dissemination of it so effective, that withdraw it from him, and you rob him of the use of his right hand. Indeed, the power thus given him has scarcely yet made itself fully recognised, or received its complete development.

We feel that we shall be adding strength to our argument, which mainly lies in a simple exposition of the system it is proposed to put in jeopardy, and shall, at the same time, be doing our present schools a service, if we draw our reader's attention to a Charge of Archdeacon Bather's, of which the title is prefixed to our paper. For these 'Hints on Scriptural Education, and on Instruction by Catechising, intended for the use of the Superintendents of Parochial Schools,' are calculated beyond anything we have met with to open the eyes of the country, and even, in a degree, of the clergy themselves, to the resources, the yet unexhausted resources, for the advancement of religious knowledge, which these schools present. They are evidently the fruits of sagacious observation and long experience—they are comunicated in a manner the most plain and unambitious, yet graphic withal, by one whose aim is not to spin theories or split hairs, but to take mankind as they are and amend them—and they descend to a minuteness of direction, which those only will appreciate who have had dealings with their fellows, and know how specific instructions must be, if they are to be useful.

Although preaching, the Archdeacon argues, is very much improved in its character of late years, and exhibits far more entirely the fundamental doctrines of Scripture and of the Church, than it once did, it may be doubted whether its effects upon our congregations are commensurate with this improvement; whether it prevails for good to the extent it might. Now if this be true, it has happened, perhaps, because we have not in times past *begun from the beginning* in our teaching; the hearer not having been a fit recipient of instruction from the pulpit, because not previously prepared in a school. In the primitive church it was otherwise. There, none were members of the congregation who had not once been catechumens. To this natural order of Christian education we are now (if we are not cut short) reverting; catechising the child, that is, grounding him in the principles of the faith by *viva voce* conference with him, in order that the man may be taught to edification. But whilst we are thus dealing with him, the fault is our own, if the very first object of all education is not answered, even as our economists themselves would admit—'For, if they say that something more is desirable for the poor than mere reading and writing and a little arithmetic, so say I too,'

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I too,' cries the Archdeacon; 'I should like to see them taught to *think*.' And accordingly he proceeds to point out how this primary object of education is achieved, and in a manner the best of all, by the very same discipline which serves to make them profitable hearers for the Church; and that, whilst your aim is to train up in them sound Christians, you are incidentally forming them into *thinking* men. The catechist, then, who will seldom be any other in a country parish than the minister himself, having fixed upon his subject, which will seldom be taken from any other book than the Bible—that being of all books the one which is found on trial to interest children most, and therefore to be the fittest to quicken them to mental exertion—'first *instructs* his pupils by questioning the meaning into them, and then *examines* them by questioning it out of them.' The former part of this task he does by putting what the lawyers call leading questions, that is, questions which instil a *meaning*, to be extracted by and by; and if the answers prove such as require to be corrected, which they will often be, still the children are brought to make the correction themselves, which is done by means of further questioning, after the same fashion as before; till at length they find themselves surprised into a full knowledge of the subject proposed to them, and apparently by efforts of their own; the process keeping them on the alert, and the result flattering their sagacity.

We shall be excused, we are sure, if we follow Mr. Bather into an example, fractional as it may seem; for the more thorough the insight afforded of the faculties of our schools, constructed as they are, the more will people be induced to pause before they give their voice for their extinction. The sight even of a fly through a microscope would often stay the hand that was raised to crush it, by unfolding beauties overlooked. Our example is the parable of the Publican and the Pharisee: the catechist begins by taking the passage to pieces, making the child in fact construe it, so as to give proof that he has not been merely talking in his sleep:—what was done—who did it—what was said—who said it. Then comes a hard word, a Publican—he asks—what is he? The child cannot tell, or tells him wrong. It is very easy for the questioner to set him right; but why do this when it is much better and very possible to make him set himself right? He will remember, if he is put upon it, that there were twelve Apostles; that one of them was a Publican; that his name was Matthew. He can tell where Matthew was sitting, and what he was doing when he was called. He thus works his own way to the meaning of the term Publican; and besides, learns to bring passages of Scripture which he has read, together; thus gets at a good principle of interpretation; and, above all, holds fast that

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that which he has in this manner made his own. 'But the two men went up into the Temple to pray.' This reminds the catechist to give the child some simple notion of prayer. He may make a speech to this effect, but it will be to little purpose, and there is no need of it. In answer to his question the child can inform him what it was they went into the Temple professedly to do: a beggar in the street would furnish him with an illustration of this; for he would teach the child to quote a text where *praying* is expounded by '*asking*.' Then, when the child has told him whose house the Temple was, he will be at no loss to tell him further who was to be addressed in it. And, looking to what the Publican and the Pharisee severally said, he will be led to state that the one *asked* for mercy, the other *asked* for nothing; consequently, that the one did actually pray, whilst the other forgot his errand. We need not pursue the example further; but, on the whole, this method will do more for a child than the plainest sermon whilst he is a child, and when he becomes a man he will put away childish things. Now, doubtless, had the catechist turned lecturer, and his interrogations been orations, he would have *delivered* in the same space ten times the doctrine which the other has *extracted*; 'but what of that?' says Mr. Bather, in a passage which may remind us of Mr. Hunt's diverting picture of the Sunday School Boy—'the listlessness of his youthful auditory, the vacant looks of some, and the impatient gazings of the rest in all directions, let you know infallibly that their minds have never been occupied at all; perspicuous the speech may have been, but "like water that runneth apace," it has passed away from them as it flowed, and whether the matter discussed related to Peter, or James, or John, or the facts were done at Jericho or Jerusalem, or the scope of the argument was to teach men to pray, or to give alms, to repent, or to believe the Gospel, they know not. The sermon was blameless, but there was no constraint upon them to give their thoughts to it.'

Having thus questioned the meaning into them, for which the school for obvious reasons is the fittest scene—and which indeed there is scarcely any other opportunity for doing, but such as a school affords—the Archdeacon next proposes to question the meaning out of them, which may be done not there only, but in the Church, in the face of the congregation, in accordance with the injunctions of the fifty-ninth canon, and the rubric at the end of the catechism. Here the minister, who is bound up, it will be perceived, with these schools from first to last, gives the children an occasion of producing their knowledge; he extracts it from them piece by piece, and with an eye in the process to the edification of the bystanders; thus he reaches the ignorant adult through

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through the better-informed child; awakes a fresh interest in that quarter, for to hear others questioned is the next thing to being questioned oneself; the listener will have the curiosity to catch the child's reply; a thought can scarcely fail to cross him, how he would reply himself, or whether he could reply at all: he will be glad to get information without the risk of exposing his present ignorance, and when the information is watched and waited for, it is retained. Parents, too, will be amongst the lookers-on, and, besides gaining knowledge themselves, will learn to set a value on the school which they discover to be a fountain of it, and thus co-operate the more cheerfully with the minister; pastor and people are embarked in a common cause; *ferve! opus*, the work thrives; and contributions, if wanted, come in freely. Thus is the congregation brought up every way to the mark of an intelligent audience; partly through knowledge imparted to those not of the school, by means of the public catechising of the children, and partly through the children themselves, as they successively leave their benches, and take their place in the pews, leavening the whole:—

'And now, as wise master builders, you have laid the one sound foundation, and as you list, you may build thereon. You may reason with them out of the Scriptures, for they know the Scriptures, and are capable of hearing reason. You may quote the Scriptures, use Scripture terms, illustrate at your pleasure by Scripture similitudes and Scripture history; and they will not wonder with the utterly ignorant, to whom he that speaketh is a barbarian; nor cry out with the self-conceited, "What will these babblers say?" Nor will they be in the condition of those who, because general heads have never been explicated to them, estimate a sermon by the presence or absence of the phrases of a party, which phrases they themselves cannot render into other language, and therefore can never have obtained any definite instruction from them. Your hearers, on the contrary, will admit your authorities and your vouchers. They will be familiar with the facts which you adduce. Words will stand for something in their minds, and Scriptural allusions be recognised and understood; and with hope you may advance to application and exhortation, having so thoroughly made good your ground.'

In this manner will the minds of the poor have been exercised so effectually, that they will be in a condition to grapple with anything they are ever likely to have to deal with; for they will be possessed of a power which they can apply to any necessities or opportunities of any kind; and though that power was not in the first instance called forth by secular training, it may be made available for secular objects, provided they are honest, to which only it would lend itself. But this is not all—for so long as the alliance is preserved between the schools and the church, the collateral benefits which flow from them are as many and considerable

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as the direct ones. If the congregation is thus approximated to the preacher, so is he to the congregation. The system improves both; for he on his part

'Will find,' says the Archdeacon, 'upon trial, that there is no better way of analysing and studying a portion of Scripture or a head of doctrine, in order to discourse upon it, than by breaking it up, if I may so express myself, in the manner required for the purpose of instilling it, by little and little, into the weak and uninformed. He will master the matter in this way for himself—many useful lights will come in upon his own mind in the process—he will see how truth may be best submitted to his hearers, and what they want to make it plain to them. When the school-questioning is over, he will have collected so many materials, and made so many experiments on the best method of arranging them, and so have possessed both his mind and his feelings with the subject, that he will be just in a condition to write upon it fully and clearly and impressively; and he will be full, moreover, of matter and good thoughts, which he may carry with him from house to house, in his private visitings of his flock, to great advantage.'

And if, in point of fact, village sermons of late years have become better adapted to the ends they were ever meant for—if, as Baxter expresses it after his own fashion, the village preacher knows now, better than he did some time ago, 'how to get *within men*,' 'how to *screw* the truth into their minds,' which we believe to be the case,—the improvement has arisen, we are convinced, very principally from the operation of our charity-schools, which have brought pastor and people into nearer contact, disclosed to the former the true approaches to their understandings and hearts, and taught him how to say the right thing in the right manner.

Such are our village-schools, and such and so various their uses, *whilst they are in the hands of the clergy*; and though certainly religious knowledge, as it is perceived, is the chief thing looked to in them, yet it is not to the exclusion of other knowledge; only care is taken that the latter shall not occupy an undue proportion of that time for learning which, in the case of the children of the poor, must be necessarily short; that 'the schoolmaster shall not be allowed to seek his own credit by having a variety of such things to exhibit in his pupils as worldly parents are apt to over-estimate;' and that the boy or girl shall not be dismissed from the school, to play their parts in life, without a stock of motives, safeguards, consolations, hopes, to influence them, other than could result from any acquaintance they might be made to have with elements of science, or compendiums of political economy. For passions are to be provided against, that 'will crack ten thousand curbs of more strong link asunder,' than the remembrance of a lecture on the physical ill effects of ardent spirits

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spirits or voluptuous excess will supply; and servants, and husbands and wives, are not made good ones of their kind, by a smattering of history, or chemistry, or mechanics; and the burdens of life, and especially of a poor man's life, are not effectually relieved by arithmetic; and when men lie them down on the bed of sickness or death, and feel themselves immortal, they do not take courage and confidence from the thought, how much they have known of things below the moon;—surely that scheme of national education which has an eye to these matters, nay, which makes a preparation for them its first and foremost object, is not very far wrong!

Meanwhile the positive success of the system we have been thus very imperfectly developing is to be found in the fact mentioned in the last Report of the Education Society, that no fewer than 993,864 children in England and Wales are in one shape or other at this moment reaping the benefit of our schools; and argument of their still greater prospective success is to be found in another fact published in the same document, that the applications for grants in aid of local subscriptions have increased in the last three years in the proportion of 65, 122, 230; so that, if the 'friends of education' can be restrained from lending it their help for a few years more, the whole population of our rural districts will, as we have said, be absorbed by these schools, and not a commissioner be paid for it. Already

> 'Their understanding
> Begins to swell, and the approaching tide
> Will shortly fill the reasonable shore
> That now lies foul and muddy.'

True it is that under this system the peasantry will be brought up in the bosom of the Established Church, which is the gravamen of the whole matter; for the very name of incumbent or churchwarden does not once occur in the length or breadth of Lord Brougham's bill; but it is no less true that they have in general no misgivings whatever upon this subject—are perfectly ready to avail themselves of the advantages of the schools as they are, and think the damage done to their children by their learning the catechism and going to church inconsiderable. And this being the case, we do maintain that our legislators might be better employed than in sowing these scruples amongst them, which do not spring of themselves; leading poor and ignorant people to imagine that religion is rather to be shown by entertaining pedantic niceties in a confession, than by keeping the commandments; and fly-blowing the country with schismatical notions, instead of seasoning it with salt. Alas! to one who really knows what the people are made of, and observes the coarse and rampant vices

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vices which prevail amongst them, scourging them worse than a hundred relieving officers, it is matter for a smile and a sigh to contemplate such provisions as those contained in the nineteenth clause of the Poor Law Amendment Act (an Act which we have no wish, on the whole, to condemn), and which are striking types of that spirit upon which we are now animadverting. The inmates of a workhouse are for the most part these and such as these—

> 'There children dwell, who know no parents' care;
> Parents who know no children's love are there.
> Heart-broken matrons on their joyless bed,
> Forsaken wives, and mothers never wed.
> Dejected widows with unheeded tears,
> And crippled age with more than childhood fears;
> The lame, the blind, and—far the happier they!—
> The moping idiot, and the madman gay.'

And these are the persons for whom it is provided, that 'No rule, order, or regulation shall oblige them to attend any religious service which may be celebrated in a mode contrary to the religious principles of such inmates, or authorise the education of any child in such workhouse in any religious creed other than that professed by the parents or surviving parent of such child, and to which such parents or parent shall object;' and as if this was not enough, it was added—at the suggestion of Lord Morpeth, if we remember—'or in case of an orphan, to which *the godfather or godmother of such orphan shall object!*' Surely it would be difficult to meet with a finer example of 'cutting blocks with a razor' than this.

Now we submit that, supposing the people are thus netted into the church, the national church, the evil is not so great as to render it advisable to undo so much that has been done for the education of the poor, and to stop so much that is doing, by such enactments as Lord Brougham proposes. Yet such a bill as his, or any other of its kind, would utterly lay waste the whole of this goodly fabric which is now going up so prosperously, and without the noise of axe or hammer. At present the education of the poor is a voluntary and gracious act on the part of their superiors —an affair of persuasion and bounty. It is advised to make it a matter of compulsion and law; and, in the instance before us, by a process the most offensive; investing five rate-payers (be their payments small as they may) with the power to convene a parish meeting; that meeting with a power to elect a committee of five rate-payers (still without any qualification as to the amount of their payments); and that committee with a power to decide whether a school is wanted, and to make a report of the same to the board (for a board of course there is to be); and the board, concurring in their views, with a power to inflict an overseer's

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rate upon the parish for the establishment of the school. Thus would the small rate-payers be able by their numerical majority to control those who could buy them up a hundred times told; vote the parish in ignorance, which if they happened to be dissenters they would infallibly do; and, in their zeal for knowledge, generously dip their hands into their neighbours' pockets for means to disperse it. It is, we think, impossible that a project so inordinate as this can pass into a law; but still all the education schemes that issue from the same mint proceed, if we mistake not, upon the principle of a tax; and as it assuredly is not intended that such tax shall be applied to the uses of the existing schools, it would only tend to break these schools up, by diverting the funds that feed them; since it is not to be supposed that people will give to one school and pay to another in the same parish. Nor is this all. It is further proposed that Inspectors shall be appointed by the board to examine into the state of the schools, and to make their report. Now even if the clergy entertained no other or more serious objections to the plan, they would, no doubt, shrink from making themselves accountable, not to their ecclesiastical superiors, but to commissioners in London or their roving deputies, for their method of teaching the children of their own parishes, and would decline serving under any such flag. But other and even graver objections they would have, which would keep them aloof; for the books used in these schools would not be of their choosing, and probably would not meet with their approval. The Bible, it is true, would be read, but only, we apprehend, as an item, perhaps a subordinate one, in the studies of the school; and certainly not with a churchman's comment, or in conjunction with any formularies of the church. The spirit in which the cause of education is taken up, and the party by whom it is pressed, are pledges enough for this; and indeed in the present bill the mask is so far dropped, as that a clause is introduced to protect Jews and Roman Catholics from having their ears offended by it; and such consideration cannot be had for them, without the dissenters sharing the like; for, if the former are to be spared hearing the Bible read, the latter, in common fairness, must be spared hearing it interpreted. A clergyman, therefore, would feel himself quite out of his place in schools so conducted, and would retire from all participation in them. But sure we are that in almost all country parishes no substitute could be found for him and his; and that, abandoned by the minister, the school would languish for want of looking after.

Thus the only practical result that could prove satisfactory to the framers of this bill or such bills as this would be, that the clergy, to be sure, would be rendered helpless in their own parishes; the sympathy, such as it is, (not over much even now in

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in agricultural districts,) on the subject of education, between rich and poor, of which they are the medium, paralysed; their best opportunity of getting a thorough insight into the characters of their parishioners, and the abuses as well as the virtues that prevail amongst them, taken away; the principal channel through which they communicate with the rising generation closed; the chief means of training up a more intelligent body of hearers for the preacher to act upon, lost and gone; and all this derangement purchased at the price of establishing a rickety school for writing, accounts, and very small philosophy, which the upper class would loathe because they would be taxed to support it, whilst they disapproved of its principles; which the minister of the parish would do nothing to promote, because it confounded him in all his functions; and which the dissenter, and the dissenter only, would rejoice in, because it would be another thorn in the side of the church, and another step in the march towards a republic. And yet the party which would thus strip the clergy of the powers by which they are enabled to be effective in their cures, is the very same which clamours beyond every other for laws to enforce their residence. Surely there is a strange anomaly in thus confessing how important are their services, and then trying how best to defeat them.

Why all this idle jealousy of the church, which is at the bottom of these education projects? She stands as an establishment, no doubt, upon *privilege*. The fact must be avowed and defended, not disguised. The church partakes of the general character of the form of the constitution. Man is not more a bundle of habits than a monarchy is a bundle of privileges; and if the church is to be henceforward regarded only as one sect of several, and dealt with accordingly, the principle may be right or wrong, but it is another principle from that on which society is constructed throughout in this country, and a disturbing force is introduced into our system which most assuredly will not spend itself upon the church only and there stop. We throw out this observation not for the benefit of those who hold other forms of government to be better than a monarchy, for such persons are right in endeavouring to accommodate so essential an element as the church to the ulterior changes they contemplate; but for the consideration of the numbers who seem to think that they may have the monarchical principle in State, and the republican principle in Church, and no loosening of the Commonwealth. They may as well think that twisting the same rope different ways at different ends would not dissolve its continuity.

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ART. IX.—1. *Schleiermacher's Introductions to the Dialogues of Plato.* Translated from the German by William Dobson, M.A., Fellow of Trinity College. pp. 432. Cambridge and London. 1836.

2. *Œuvres de Platon.* Traduites par Victor Cousin. Tomes i—xi. Paris. 1822-37.

3. *Initia Philosophiæ Platonicæ.* Auctore Phil. Guil. Van Heusde. Vols. 2. Parts 4. Trajecti ad Rhenum. 1827-31.

4. *The History of Ancient Philosophy.* By Dr. Heinrich Ritter. Translated from the German by Alexander J. W. Morrison, B.A. Trinity College, Cambridge. 2 vols. Oxford. 1838.

5. *Deontology, or the Science of Morality; in which the Harmony and Coincidence of Duty and Self-Interest, Virtue and Felicity, Prudence and Benevolence, are explained, exemplified, and applied to the Business of Life.* From the MSS. of Jeremy Bentham. Arranged and edited by John Bowring. 2 vols. London. 1834.

IT is remarkable that while we of this country have been sinking yearly more and more into natural and mechanical philosophy,—have been numbering and classing (for that is nearly the extent of the science acquired) shells, and plants, and insects, or circulating descriptions of machines, very useful, doubtless, themselves for the weaving of stockings and gown-pieces, but the knowledge of which is not on that account so necessarily useful to the tradesman who sells these things or to the public who wear them,—our continental neighbours the Germans and the French, by no means neglecting to investigate the works of nature, and certainly gaining ground upon us in the processes of manufacture, have thought it also worth their while to study the philosophy of history, the philosophy of the fine arts, and, converting the terms, the history of philosophy itself, of which three great branches of knowledge we scarcely possess even the idea. The two rival leaders of Louis Philippe's late cabinet, and supporters or opponents, as the case may be, of his present one, Messieurs Guizot and Thiers, are the authors of the two best philosophical histories which France has produced. M. Thiers, indeed, in unfolding the causes and principles on which her first revolution turned, has certainly ascribed too much force to the chain of events, too little power of control to the actors, and has thus palliated unduly the guilt of those who enacted its fearful atrocities; but M. Guizot, in his beautiful history of French civilisation, while he has equally opened out the hidden germs in which the great progressive changes of society lie, has allowed to human liberty its full play in turning those tendencies to a worse or a better purpose.

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purpose. Nor is his work a mere tissue of abstract theories; on the contrary, he has brought to life, by the use he has made of contemporary documents, the dark ages of Gothic conquest, and those subsequent ages which we are pleased to call dark, while the cathedrals they gave birth to look down upon our puny efforts of meagre imitation.

It may give the English reader some confidence in the justness of M. Guizot's philosophy, that though now as good a conservative as France can produce, he foretold, long before Louis Philippe became King of the French, that change of dynasty which would complete the parallel between our own revolution and theirs. Again, histories of a nation's general art or literature are considered by the Germans as requisite for the formation of a fair and well-grounded opinion on the merits of an individual poem or statue produced among that people. They say they cannot judge of Sophocles, or Ben Jonson, or Pope, or Raphael, or Titian, without regarding in the same view Æschylus, Shakspeare or Dryden, Pietro Perugino, or Bellini. They rightly consider the whole of the mental creations of a people from its origin to its decay, as a series of organic phenomena, of which each successive member produces and modifies those which follow it in the lapse of generations, just as the character of an individual is evolved by the succession of thoughts and experience in the progress of life. In this philosophy of learned criticism we are even more behind our neighbours than in that of political history, and to those who are ever so slightly acquainted with what has been done on the continent for this science, it does appear singular that, though indeed Winkelman's History of Ancient Sculpture, and Schlegel's Essay on Dramatic Art, have been translated into our language, we in England are unacquainted with the ordinary and convenient term by which the French and Germans designate the impression received by the mind from an object as a work of art—we mean the word *æsthetical*; and that, although the distinctive marks of the classical and romantic schools of literature have now been discussed since the days of Schiller for full forty years by some of the ablest writers of Europe, who have engaged large parties of their countrymen in the debate on the relative merits of those two schools, we are not familiar, to say no more, even with this distinction, which yet is as plain as the difference between the characters of the Parthenon and of Westminster Abbey. We do not possess a serviceable account of our own literature; and, what is perhaps more strange,—for a nation, like an individual author, may not be most disposed or even best qualified to pass in review the products of its own mind,—

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mind,—we do not possess one introduction to the Greek classics, for Mr. H. N. Coleridge's elegant essay is but a beginning. Yet in our universities Greek is more exclusively the staple of education than in any similar institution of Europe—in Oxford especially; and we say it to her honour, because in thus exercising that youth, which the country year by year entrusts to her, on the noble pages of antiquity, she acts upon the principle that she is not employed in the menial service of transfusing into them a given amount, or the utmost amount possible, of various notions—as you would pack merchandise in a chest, or cram articles into an encyclopædia—but holds the nobler office, by showing them what men of old time have well and wisely thought, or felt, or taught, to insure, as far as in her lies, in the foremost of the land, what the elder Coleridge calls the formation of a manly character. Still, though our public instructors have stood fast by the good old lore, it cannot be denied that classical learning, if it hold its own in England, does not keep step with the advances of other branches of education. We do not believe that it does hold its own, and we attribute its relatively backward movement to the want of that more ample and broadsighted study of Grecian life, and laws, and feelings, which by no means hinders our neighbours from a minute sifting of the Greek texts, (as may be seen by the fact that the main of the editions which issue from the Clarendon press bear such crabbed titles as 'Curâ Schweighauseri, or 'Operâ Stallbaumi,) but rather, we should say, animates them to the microscopic examination of the dead letter by the hope of recomposing from these fractured remains some antique shape of living Hellenic lineaments. Nothing, we believe, but an enlarged, practical, vivid, and therefore popular treatment of classical, that is, Grecian literature—(for the Roman sheds only a reflected light, and derives its value from the sun by which it is brightened)—can enable that literature to retain a place among the host of young sciences and modern interests which court the newly-awakened mind of the middle classes of England.

If, now, we ask what has been done in this country for the third branch of knowledge to which we alluded above, the history, namely, of philosophy, the answer, like the return to some inexperienced orders for parliamentary accounts, must be comprised in a word of three letters, 'NIL,'—absolutely nothing at all. Our few writers on mental philosophy bravely *ignore* all that has been written before them; and thus it happens to them, as to all who seek originality in independence of the pioneers who have preceded them, that they scratch out their eyes in the bushes, get knee deep into quagmires, and end by advancing exploded fallacies

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cies as bold discoveries. We have, indeed, but one obsolete name, *metaphysics*, with which to designate inquiries into the nature of mind, and that name is almost a term of reproach.

A late English writer conceived that he had discovered the great secret of moral science, when he laid down the principle that you must judge the value of an action by its effect upon happiness: he tricked out this notable novelty in quaint compounds of words, became the head of a party which possessed an accredited organ; and we have heard one, who is still a cabinet minister, appeal from the Treasury Bench, most solemnly and pathetically, to the principle of the greatest happiness of the greatest numbers, or, as it is called for brevity's sake, the Greatest Happiness Principle. There is, however, nothing new in this test. It is the practical canon of most English writers on ethics. It is the touchstone of Dr. Paley, whose Moral Philosophy is, very undeservedly, the text-book of Cambridge. At the very time, however, when this flourish of trumpets was raised, and clever men were enlisted by it, there had been already published by the lamented Schleiermacher an examination of all known systems of morals, and of this, of course, for it is anything but new, in the number; the result being, that no system hitherto devised,—we do not speak of practical doctrines, guides for the duties of life,—but that no system claiming to derive a moral code from any one supreme principle could withstand his searching anatomy. What course, then, did that eminent man adopt? If his judgment led him to mistrust scientific dogmatism on the one hand, his reason forbad him on the other to regard despondent scepticism as the true philosophy. He betook himself to the study of Plato; and it is he to whom is owing that renewed ardour for the Homer of philosophers, as Panætius happily called him, to the fruitfulness of which the French, High-Dutch, and even Low-Dutch titles prefixed to this article bear their testimony. These, indeed, are no more than a handful of grapes from the foreign vintage; but English, alas! only appears among them in a translation.

Schleiermacher was the first scholar who, being also more than a scholar, and viewing the works of Plato as a whole, endeavoured to arrange them in their natural connexion; and he conceived that by internal evidence he had found in them the order in which the author's thoughts were developed, being also that in which the several works were written. The assistance thus afforded to their comprehension would of course be most valuable, and he was so far successful, that though details of his scheme have been loosened by later inquiry, the main points are regarded by good judges as finally fixed. He now published the whole of Plato in

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a German translation, prefixing to each dialogue a dissertation on its particular scope and on its connexion with the remainder. These were ingenious and profound—perhaps, like almost everything German, too much of both: they gave, however, that valuable impulse to Platonic research which has been since followed up by Ast, Stallbaum, and others; but having thus accomplished their end, though they should be read with a view to understand the course which the investigation has taken, we doubt whether much positive result is to be obtained from them alone. After thirty years they have indeed appeared in an English dress, or rather in English words; but translate them as you will, the thoughts, and even the language, must remain so thoroughly German, that we are pretty sure they will not tell much to one who is not conversant already with other philosophical works of the country; they are difficult even then; but such a one would of course prefer to consult them in the original.

M. Cousin, the well-known professor and now deputy, follower once, if not still, of M. Guizot, has nearly accomplished in French the same task: he has arrived, after some years, at the eleventh volume of his translation, prefacing in like manner each dialogue with a dissertation. His general view of Plato he has reserved as a *bonne bouche* for the end. It has been long promised, and we look for it with some interest. The translation is flowing and, on the whole, accurate; the introductions, of course, clear enough, since as the Germans are the worst hands at making a book, though the best at collecting materials of which books should be made, so are the French, when the timber and marble are found for them, first-rate hands at putting them for you neatly together. Still we may be unreasonable, but as we admitted that Schleiermacher is somewhat hard to be understood, so, on the other hand, we are not quite sure that M. Cousin ought to be so entirely easy. It is very pleasant to be led smoothly along; but we cannot forget the high praise awarded by an Oxford examiner to an undergraduate, who, when set on, as it is called, at a passage of some Greek chorus, stoutly maintained that it could not be construed at all. This was perfectly true, he was told, but a worse scholar would have attempted it. We have a sincere respect for M. Cousin's intentions and general views, but we have reason to know, that though Mrs. Austin thought it worth her while to translate his account of the German schools and universities, he saw those institutions, as it were, from his inn windows, and wrote his book from public statistical papers.

The work of Professor Van Heusde, modestly entitled by him 'First Elements of Platonic Philosophy,' is written in good Latin, easy therefore, and pleasant like Tully's, not involved nor stilted like

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like Dr. Parr's. Though we protest against the further employment of this dead language in classic dissertations, and even in notes on classic authors, now that the necessity for it is done away by the sufficient market each country affords for good books of the kind, by the growing acquaintance of scholars with the chief modern languages, and the increased facility of translation, besides the certainty of a reprint, since the paper on which they print at Leipsic is too dingy for us, and our hot-pressed pages are too costly for them; and we object to it, because the use of a dead language must in many ways hamper a writer's utterance of his own living thoughts; still we rejoice that M. Van Heusde has kept to the old practice, since, not being ourselves familiar with Low-Dutch, we should otherwise have missed the acquaintance of a very agreeable book, with whose author we heartily sympathise in his honest and fervent Platonism. The book is in fact a review of the spirit and composition of Plato's works, rather than a dry analysis of his philosophy. It shows Plato's own character and his views of what human life ought to be. It contains extracts made with taste and judgment from the more picturesque dialogues, and particularly from those beautiful *myths*, or traditional religious fables, to both of which the Professor attaches a higher importance for beneficial influence now to be exercised on the mind of the general reader, than to the other more abstruse and dialectical compositions; in which estimate, we must say, he entirely expresses our own opinion. The work is not unlike Bishop Lowth's 'Prælections on Hebrew Poetry.' We are unwilling to find a fault, but we cannot deny that our Professor's amiable enthusiasm has led him perhaps into rather too constant a flow of praise; and we have a mortal dislike to all panegyrics done as matters of business, from the time of Isocrates we had almost said, but certainly of Pliny the Younger, down to the *éloges* of the French Academy, and the after-dinner speeches of our own travelling British Association.

Such is not the fault of the next book we have to notice, Dr. Ritter's 'History of Ancient Philosophy.' We have seen only three volumes of this important work, but it is brought down in four to the close of the Socratic philosophy, that is, to the final establishment of Christianity. A second edition has been commenced, of which Mr. Morrison has translated the two volumes which have appeared, and which contains, he states, many additions and improvements. It is curious, by the bye, that the second edition of a German work is generally much altered from the first, and admits not only variations of statement, but often direct contradictions of its former self. We have heard that Jacobi, no

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inconsiderable man, published a book turning much on a distinction, unknown in this country, between the *reason* and the *understanding*; but the second edition had appended to it this important erratum for the benefit of those readers who might still wish to make use of their original copies, 'Wherever you find *understanding* read *reason*, and wherever you find *reason* read *understanding*.' In general our translations of German works are most unsatisfactory, in fact unintelligible; mere literal versions word for word, without one trace of English idiom in the style, or of freedom of thought on the part of the translator. The chief cause we take to be this, that the Germans are the deepest thinkers of living people, and that as we are not arrived at the same stage of thought with them, much is of course assumed in their books as familiar which to us is unknown. While, however, we admire their real depth, we cannot deny, as Dr. Ritter himself in his preface admits, that they have also an affectation of depth, which seeks credit for wisdom by clouding itself in a mysterious maze of words. Even when they understand a subject, our good neighbours certainly do like to paint it in chiaroscuro, like Rembrandt, who, however,—we throw out the analogy for their consideration,—is said to have contracted his dusky tone from having been brought up in the inside of a mill, to which the light of common day found scanty entrance. The resemblance, we believe, too, of the words, and, in some degree, of the thoughts, leads the interpreter to the supposition that they are identical. Mr. Morrison is exempt from most of these faults, from the worst of them—mystical affectation—entirely. He is not freely vernacular, yet not unpleasantly alien, except, indeed, where he startles us by some of those uncouth composites for which we have no sort of need, and which no example or authority ever can succeed in naturalizing amongst us. It is true, however, that the difficulties of a translator from the German are great, for those who write it have reached even a classification of the powers of the mind, and consequently of its phenomena, in some degree different from our own, so that all their thoughts are cast differently, as it were, from the very font. Thoughts, therefore, as well as words, are to be translated; but they must be translated, if the book is to be understood. The translator must first master these obstacles himself, and then, if he cannot unravel them in his new text, he must at least clear them up in his notes, for the benefit, as a noble senator once observed in his speech, of country gentlemen. We at least give this public notice, that henceforward, if we do not understand a German book done into English, we shall assume judicially, that it is because the translator has not understood it himself, and on his head be the

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the consequences. This is fair warning. We have enough and to spare of what is called fine writing at home; pray do not let us import it.

This book may be said, however, to have superseded the previous histories of philosophy—even Tenneman's—not perhaps to have rendered them useless, but to have become the standard work on the subject. Tenneman, indeed, vitiated his work by referring, as Mr. Morrison rightly observes, all previous philosophies to the scale of Kant's system, so that as soon as his master's rule passed away, his book became at once very much superannuated. This congenital cause of decay Dr. Ritter has guarded against, by stating the doctrines of the ancients, as much as possible, in their own words and forms of expression. His first volume treats slightly of the Indian, and more fully of the old Greek systems prior to Socrates. Thus far we have to grope a good deal in the dark. The second treats of Socrates himself, and of his immediate scholars, among whom Plato occupies, of course, the principal post. The remainder completes the story of the Socratic philosophy, under which title Dr. Ritter designates all Greek systems later than the time of Socrates.

And here one is tempted to ask, as if it were something new, who was this burgess of Athens that set his name, as a seal for so many centuries on the principal thoughts of Greece and Rome—that is, so far as we are concerned, of civilised man—and this without having written himself a book or a line? He was born, as we know, from low parents, of a Silenus-like countenance, and never attained a competent fortune. His manhood was cast on that period of Athens when, the heads of her citizens having been first turned by those very victories of Marathon and Salamis which they owed to their older and simpler character, and their hearts corrupted by tyranny over those very allies with whom and by whom they had won their glory, and when their highest flower of art having been attained under Pericles, by paying to Phidias, for the adornment of Athens, for the Parthenon, and the Propylæa, those common funds which had been placed under their charge for the defence of the Ægean, their art itself lost its manly nobleness, and became effeminate dalliance in the hands of Scopas and Praxiteles. It was a time of faction, and luxury, and display. The old religious and warlike hymns no longer formed the first lessons of youth; and a new set of teachers, calling themselves the Wise Men, or Sophists, came into Athens, chiefly from Italian Greece, who boldly unveiling the new moral scepticism, undertook to make wise and good men for a handsome fee, that is, wise and good statesmen; but the goodness taught by this old 'voluntary system'

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system' turned indeed upon the knowledge of moral laws, as an important element of those beings whom a public man must influence before he can lead; the convenient wisdom consisted in this, that as all laws were made by the strongest—(the mischief was that the Greeks very much identified moral rules with public laws) —but that all laws being, as they said, made by the strongest, if you could but make yourself the strongest, you might, if you pleased, dispense with all law, that is, with all moral obligations in your own conduct, taking good care, of course, not to be caught until you had placed yourself above the reach of the law. Socrates endeavoured to stem this flood; and he dealt with these reverend guides by asking of them, in assumed simplicity, information on the doctrines which they professed, until by this seemingly inquisitive cross-examination, he involved them in some self-contradictions, and drew on them the laughter of the bystanders. This was the well-known Socratic irony. But further, if among those bystanders he saw some promising youth, he would draw out, by a somewhat similar series of questions addressed to him, answers involving the inborn principles of a right and a wrong, of what is mean or honorable, base or worthy. This he called his obstetric art, alluding to his mother's profession, and so he struck many a hidden spark which kindled thoughts and feelings that rose into some noble flame. Thus he passed an active though speculative life in the places of Athenian resort. Even the sumptuous and high-born Alcibiades courted his company, not indeed for his moral influence, but for the rhetorical improvement to be derived from his argumentative powers. The jealousy of the powerful, acting by the prejudices of the many, brought him in his old age under accusations of irreligion, to a violent end. We cannot do justice to the affection and veneration which his memory claims from us. But read of him in Plato; read of him in the Phædrus, sitting at high noon under the plane-tree, which Cicero says he has immortalised, by the banks of the Ilissus, and led to recite, as if by inspiration, that beautiful mythos, in which he represents the soul of a lover, seated in a car drawn by two horses, the black one, earthly desire, striving earthward; the white one, heavenly affection, struggling aloft; and then, if the better feeling prevail, the blessedness of pure and undivided attachment; read of him in the Gorgias, courteously, yet with sarcastic power, confuting the Sophists, who maintain that the height of ambition is the superiority over public justice, and telling them that he at least will keep his soul white and pure for the scrutiny of Rhadamanthus; read of him again at the genial table of the Banquet, gay and witty, yet rising to the earnest strain in which he depicts the progress of the mind, from the love of individual beauty, to the

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the love of all beautiful objects, then to the love of honourable and worthy exertions, next to that of right and virtuous contemplations, lastly, of Him who is all that is good, and just, and true; read of him in his Defence before his judges, avowing the object of his life, rather than palliating his conduct, and parting from them, as he is led away, with the beautiful words, 'You go to life and I to death: which of us for the better part, the Gods only know;' see him with Crito, who has bribed the gaoler to connive at his escape, refusing to accept a life which could only be preserved by renouncing his moral commission, and showing how the personified laws of his country would rebuke him, if, having during his previous course supported their authority and enjoyed their protection, he should now refuse to submit to their award; listen to him, lastly, in the cell which is his last day's lodging, bidding his weeping followers look forward to a brighter existence, telling them when Cebes asks where he would be buried—telling them with a smile that Cebes is incredulous, but that before Cebes can bury him, Cebes must catch him; answering, when they inquire his dying commands, that if they govern their minds according to his precepts, they will certainly act in accordance with his wishes—if otherwise, that their utmost promises will be unavailing; and after he has received the fatal cup with an unchanged eye, behold him lying down for the last time with words of religious thankfulness; read this in Plato, and then you will know, and value, and love the brave, and great, and affectionate philosopher of Athens, to whom Erasmus, as he heard the names of Christian saints recited from a Litany, added the invocation, 'Sancte Socrates, ora pro nobis!'

We have referred our readers to Plato for the character of Socrates, although Dr. Ritter regards Xenophon's Memoirs of their common master as the more authentic record of his doctrines; and for this reason, that inasmuch as Xenophon had no philosophical system of his own, he did not invent, but report, those sayings which he attributes to Socrates. This is so true, that he sometimes appears not even to have understood them. But though the limits of Xenophon's mind may have rendered him an unbiassed witness as to single dicta of Socrates, the more congenial soul of Plato could alone receive or reflect the spirit of Socrates. This has been done by Plato in those Dialogues, which we have heard one of the most learned statesmen of our day, and at the same time one of its sincerest Christians, call with reverence the most beautiful book in the world, after the Bible. The whole works of Plato, in fact, with few exceptions, were cast into the form of conversations between Socrates and his followers, his friends, or his opponents; and the veneration thus shown by Plato

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Plato for his departed master, when he became himself for forty years the leading teacher of Greece, proves at once the impressive power of Socrates, and the modest gratitude of his illustrious scholar.

The characteristics of those Dialogues,——but while we write, we are reminded that there may be some, in England at least, who have been persuaded that, for an enlightened citizen of the nineteenth century, the study of Plato is much on a par with the belief in ghosts, or the wearing of amulets. We recommend to their consideration, however, this passage from Dr. Ritter's preface:—

'Then,' [that is when acquaintance with original sources of knowledge is wanting] 'we hear what is old spoken of as if it were antiquated. "How much longer," it is asked, "are we still to drag about with us for ballast this medley of science? These ancients must have been strange people to have employed themselves on something so entirely different from all that we regard as of any importance." Yet it might be suggested that no ordinary powers of voice are required to pierce through years, when these come to be reckoned by thousands, or even by centuries. The greater number die off young. It requires vital power to grow old. I at least acknowledge that I have found more food for my own mind in those whom time has already winnowed and sifted, than in those whom the wave of our own day just throws up to the surface, and lets down to the bottom again.'

Assuming, then, that the voice which has pierced through two thousand years is worth listening to, we should say that the most striking characteristic of Plato's Dialogues is their dramatic nature. The persons do not seem to be brought forward in order to advance certain opinions or arguments on given subjects, but they themselves, with their characters, views, and tempers, enter into situations in which we see them unfold their peculiarities, and watch their conduct on the occasion, taking part ourselves in the action of the piece, and being as much or more interested in their personal defeat or triumph, as in that of the cause which they espouse. In other dialogues, as in Cicero's for instance, the old Roman senators are merely there as vehicles of the matter produced, or at best, as bearers of departed orators. In Lucian's there is personal contact, but the realm of Pluto, in which the actors meet, is hardly meant to give even the semblance of reality. Plato's Dialogues, indeed, are more than dramatic: like many of the nobler fictions, they represent not imaginary but actual persons engaged in a true course of events: they are in truth history of the deepest interest, inasmuch as they show the first origin of that philosophy, or system of thought, which has since influenced the European mind up to this day. But if these Dialogues, as to the actors and the action, are above all others, real, and historical, and

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and picturesque; as to the subjects of conversation on the other hand, though these arise, not of set purpose, but incidentally, they are as remarkable for strict and systematic philosophic debate. To recur to the same examples: Lucian's object is mere small-talk, or persiflage, or satire, or ribaldry; the conversations which Cicero puts in the mouths of his speakers are learned discourses; Plato's Dialogues are a strict and earnest inquiry, pursued by the strictest logic with which his times were acquainted, and which he himself indeed greatly improved, into the great problems of human nature. So that in these works of genius you have at the same time an insight into the free and playful, yet graceful, society of Athens, an acquaintance with some of her best citizens, and a first view, by a master-hand, of the spiritual, intellectual, and physical world of human existence. When we look nearer, their leading argument is plainly the settlement of the first principles of morality, by an appeal to our natural reverence for what is fair, good, and holy; our instinctive abhorrence for what is unjust, wrong, and profligate. Some critics, indeed, doubt whether this appeal to the moral principle had the moral principle for its primary object. They think, that in a sceptical age, when it was necessary with those who doubted everything to make good some groundplot in their minds on which certainty could be built, it was with this view Socrates laid hold of that moral feeling, which, however the understanding be perplexed, will, if properly addressed, almost always unconsciously answer the summons. The Socrates, however, of Plato has too deep a sense of moral beauty and goodness, for us to doubt what was the object to which the Master devoted himself, or by which the Scholar's search after wisdom was, not fettered, but guided. It is this holy regard for all that is good, and great, and true, which now constitutes the chief value of Plato. His system of philosophy giving birth to other successive trains of thought has itself passed away. Still it was a beautiful system which represented that the forms of all that is good and fair in the visible world, having an independent previous existence in the Supreme Mind, had indeed become obscured and tarnished in their union with the matter of the visible world; but that the souls of men having, before their entrance into the body, once in a higher sphere gazed upon the original patterns or *ideas* of beauty, and justice, and holiness, are now, from a faint reminiscence, kindled by such imperfect shadows of those lovely realities as the dark and gross things of the earth still exhibit, and that if they cherished by the exercise of pure mutual affections, and improved by serene contemplation their love of these heavenly images and their acquaintance with them, they should after death wing back their flight again to those realms

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realms of beatific vision which had been once before their happy home.

In this beautiful system, one assumption strikes us at once as fanciful, the pre-existence of the human soul. It was indeed not very positively asserted: but shall we at any rate make it a ground of charge against Plato, or matter of ridicule? Would it not be more fair, and therefore more philosophical, to inquire how so great a man fell into such a delusion? The errors of the wise must at least have some groundwork in human nature. Now, this assumption was based upon the circumstance that many notions are found in the mind of man, moral notions particularly, which do not appear to have found their way thither through the senses from the material world. It may be a childlike one, as it grew up in the youth of philosophy. But few, we think, can doubt that any form of belief in the independence of the conscience from the accidental impressions derived from the world of sensation, will be likely to lead a man into fewer practical errors, ay, and into fewer philosophical also, than that other system which, though countenanced by our Locke, yet when improved upon by that French school that prepared the old French Revolution, did, by referring our knowledge of right and wrong to the same source with our perception of blue or of scarlet, of sweet or of bitter, represent the mind of man, not as judging what actions are in themselves right and what wrong, but as passively receiving from those actions an impression which might be called moral indeed, but which would give no truer knowledge of the action itself, than our impressions of a flower's colour and smell afford us as to that flower's own essence and substance. It is, we repeat, the holy yet not austere authority which Plato ascribes to the conscience, that is the chief merit of his philosophy for our day. For his own time he had doubtless, as the elder Coleridge says, the great desert also of originating that methodical inquiry into the objects of knowledge, which, expanded by Aristotle, has led to the various arrangements of modern investigation. So little, indeed, of this necessary division of labour and subjects existed before him, that you only find obscurely indicated in his books the primary distinction, which originated with himself, between physical, moral, and logical science. We have reaped the benefit, however, on this head, and, according to some, we may now discard his memory. But it is in our moral philosophy that his spirit is still wanted. He has not, indeed, entered into the details of duties, but he has set up a noble standard of motives and views: and it has been justly, we think, remarked of his well-known work, 'the Picture of a Perfect Commonwealth,' by Mr. Oakley, of Balliol College, in his recent 'Remarks on the Aristotelian and Platonic Ethics,'

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Ethics,' that 'notwithstanding inconsistencies and extravagancies, there are in Plato's Republic many features which render it not unworthy of being regarded in the light of an ardent anticipation of the Christian polity.' We must add, that in his inseparable union of goodness and beauty, of what is right with what is graceful and honourable, we have always been persuaded Plato had in his mind, however imperfectly, the character of a Christian gentleman.

The great object of Plato, indeed, is the ennoblement of the human race. This is his distinctive character, and it is a most important one. For Schleiermacher, in that review of all systems of moral philosophy, which we cited before, tells us that these may all be divided under two principal heads—Systems of Perfection, and Systems of Happiness;—that is, systems, which have for the object of their law-making the production of perfect moral excellence in the mind of the agent, namely, of him who is to guide himself by such rules, and to make this perfection the end and aim of his self-government and of his conduct—systems, on the other hand, which lay down as the sole object of each and every moral action the production of happiness, that is, of agreeable sensations of some kind in the consciousness of other beings. We say of *others*, because the notion of a moral action so plainly includes the condition of a motive not altogether a selfish one, that we throw at once out of view the barefaced selfish system of Epicurus—whom Dr. Ritter, we observe, has sent back, with great justice, to wallow in his own stye, overturning the modern doctrine which whitewashed and made a gentleman of him, by casting the blame on his followers, who were supposed to have corrupted his fine dilettanteism into coarse sensuality; whereas, he would appear to have been no whit better than they, but a mere voluptuary, and, if a philosopher at all, one whose knowledge went from hand to mouth, at the best. Under the same head, we put at once out of court the recent, we hope we may say the late, French system of *l'interêt bien entendu*, which we take to be this: that its followers think it to be quite right to be generous and honest, and so forth; but that it would be most absurd to be either honest or generous, except on a long-sighted view of advantage to be derived from such faithfulness or magnanimity to their own particular selves. We set aside the professors of this vastly enlightened doctrine as, on their own showing, not including in their moral system an essential condition of a moral action, without which it is no moral action at all; and we trust that the French nation, which, notwithstanding some appearances in its literature, we believe to be in a state of improvement, will soon have

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have purged off whatever remains of this leaven. But with regard to Schleiermacher's second class of systems, so limited, we really can find no better translation for the name which he gives them, though his book was written before poor Bentham's discovery had been made known, than 'greatest happiness systems.' Now these systems, not only inasmuch as they enjoin that the happiness of others shall be the governing motive of conduct, comply in theory with the notion of a moral principle, but they certainly do bid fair at first sight to have answered the great inquiry. We will not attempt to follow Schleiermacher in his philosophical analysis of this class. A shorter test, their practical tendency, as shown in the experience of their working, may be fairly applied to a moral, and, therefore, a highly practical matter.

The test of experience shows the greatest happiness principle, when employed as the only ground of morality, to be not false, indeed, but incomplete, not wrong, but inefficient. Its defect in working may be shortly stated as thus. Being told to make the happiness of others our object, we look out, according to the theory, to produce in them pleasurable sensations, how, matters not, provided those sensations be produced and in sufficient abundance. There may be admitted, indeed, a distinction between refined and gross, mental and sensual pleasures, between those of debauchery, for instance, and of parental affection; but it is a difference only in the quality or degree of the sensation produced, not of the principle on which that sensation is founded. It is easy to see what a fruitful source of moral relaxation lies even here. But, further, such a system will not of course forbid the individual to make his own pleasure an object of his endeavours. In order to bring this aim under its own general rule, the System, if it seek to be consistent (we follow Schleiermacher), will say to its pupil, 'You may seek your own pleasure, but it must be for the sake of creating happiness in those around you by the sight of your happiness.' The disciple, however, who endeavours to put this doctrine in practice, will soon begin to say (as Schleiermacher again observes), 'This is a very round-about sort of reasoning' (he makes it, indeed, still more complicated); 'I do not see why I should not lay in a moderate stock of pleasure, which is the only object of the whole business, on my own private account.' And so he will assuredly do, and so, as the moral critic says, all systems which aim at the mere production of happiness in others must, and will end, however little we might expect it, in the search of individual enjoyment.

This tendency of moral systems, which make happiness their sole

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sole object, to lapse into selfishness, has been realised in that doctrine of utilitarianism which lately made some stir among us, and was even received by many as a great discovery of the late Mr. Bentham's. The leading motive which it acknowledged was, indeed, at the outset, by no means a disinterested desire of public happiness; for it admitted largely, as far as we can make out, into the agent's deliberation on his conduct, the pleasure accruing therefrom to himself. Still, it would be curious, if it were not painful, to observe in that gentleman's posthumous papers, as edited and amplified by his literary executor, Dr. Bowring, how completely, and how soon, the criterion of public advantage was swallowed up by the view of private gratification. It is, indeed, most painful to see a man of fair literary and private character, Bentham or Bowring, each and both, with no ill design, but the contrary, thus trifling with all that is earnest, degrading all that is noble, and exposing, at the same time, we must say, his own utter unacquaintance, in theory at least, with the common principles of our moral constitution. The book has got a strange new name, 'Deontology,' coined by Dr. Bowring for the occasion, the name of Morals, or Ethics, or Duty of Man, not being good enough; and it is an odd thing, by-the-by, that a book, which sets out by telling us that 'Plato and Socrates talked nonsense under pretence of teaching wisdom and morality,' contains in the two interpretations of Greek words which it ventures on, two most egregious blunders, its own long name being one. This, we are told, is derived from το δεον = that which is *proper* [rather what is right or due], and λογια = *knowledge*. Now, we do find from our Passow that there is such a word as *logia*, but used by the Fathers only, and signifying with them the collection of alms for the distressed; so that the most correct translation of Dr. Bowring's new name for moral philosophy, according to *his* account of the matter, would be 'levying a poor-rate when it is payable.' We further learn from Dr. Bowring, that Socrates and his followers were called σοφισται = the *wisest*. This is only a mistake of the noun-substantive sophist, for a superlative adjective which never existed, much as if a Frenchman translated our *wiseacre*, as *le plus sage*.

In the first place, however, Dr. Bowring—for as he has dressed up Bentham's papers, we must speak of the disciple, just as we did of Plato, even when Socrates was the speaker—Dr. Bowring, however, 'dismisses,' he tells us, 'from his system of duty,' the words 'ought' and 'ought not,' as too *dictatorial*. On the other hand, the words *useful* and *useless* are not quite strong enough for him. 'The mind will not be satisfied,' he says, 'with such phrases as, "it is useless to commit murder; or it would be useful

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useful to prevent it."' We are glad to hear this, but what are the Doctor's substitutes?

'In the word *propriety*, with its conjugates proper and improper, the desideratum appears to be found. It will have the convenience of *covering the whole domain of action.*'

Will it so? Let us try it then. 'It was very *proper* in Pythias to set his life in pledge for his friend Damon.' This sounds rather tame, though. We will try again. 'It was *improper* in Nero to put his mother to death.' Worse and worse. 'It was very *improper* in Inkle to sell Yarico, who had saved his life, and was devotedly attached to him, into slavery,—raising her price too, when he learned from her that she was about to make him a father.' Somewhat treacherous and heartless, as well, we should say. 'It is very *improper* in the captains of slave-ships, when they are pursued by vessels of war, to throw casks full of living negroes into the sea.' Is it not a burning disgrace to humanity rather? We, for our parts, shall stick to the old words—*right* and *wrong*.

So much for definitions, however. As for principles, we are informed, that

'Illuminated by the Deontological principle, the field of action will assume a new appearance.'

Our Doctor, with his Deontological principle, certainly does *illumine* the field of action to some purpose; and it assumes, in consequence, as he promises, and as our readers will presently see, a very new appearance. They will, we think, make up their minds when they have read the following maxims, which we present to them in order precisely as they stand in the book. These flow, we should decidedly say, from the master, not from the scholar.

'Every pleasure is primâ facie good, and ought to be pursued.' This *ought* is very 'dictatorial.' How did it creep in?

'Every act whereby pleasure is reaped, is, all consequences apart, good.

'Every person is not only the best, but the only proper judge of what, with reference to himself, is pleasure, and what pain.

'To say that, if I do this I shall get no balance of pleasure, therefore if you do it you will get no balance of pleasure, is mere presumption and folly.'

What right, then, has Mr. Bentham's disciple to write treatises on Deontology, since Duty, according to his master, is the pursuit of pleasure, and it is also presumption to tell any man what will be pleasure for him. The moral teacher would seem to have sewn up his own mouth. After this we can understand public laws

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laws that enforce obedience, but not moral rules that enjoin compliance. But let us read on.

'To say that, if I do this I shall get no preponderant pleasure, but hat if you do this you may get a preponderant pleasure, yet it is not proper you should do it, is absurdity; and if I apply evil in any shape, it is injustice and injury: and if I call in the powers of government to prevent the act, it is tyranny.'

We will suppose a great ruffian, Bill Sykes, beating, for his own amusement, a little delicate boy, Oliver Twist, in the streets, with a crabstick. A woman passing by hears the boy's wailing, stops, and says to the bully,—'How can you take delight in using the poor child so? I am sure, if I had hurt a hair of his head, it would give me the heartache all night. You ought to be ashamed of yourself, so you ought.' This good woman would talk nonsense, since, according to our golden rule—'To say that if I do this, I should get no preponderant pleasure, but that if you do this, you may get a preponderant pleasure, yet it is not proper you should do it, is absurdity.' As the child's cries grow louder, let a man now admonish the fellow on his own shoulders with a slight cane. This would be very unfair, for Bentham has written—'If I apply evil in any shape to prevent the act, it is injustice and injury.' Let the lad's strength now appear to fail under repeated blows. A gentleman hands Bill Sykes over to a policeman. Surely the writer on codification cannot disapprove of an appeal to legal authority in a blue coat and glazed hat. 'If I call in the powers of government to prevent the act, it is tyranny.' Why not flat burglary too? We will only quote the next maxim.

'Keeping out of view future contingent consequences, the fact of the long continuance of the free and habitual exercise of any act by an individual is evidence that it is productive to him of pure and preponderant good, and therefore fit and proper to be pursued.'

So that if a man, for six years, has of his own free will, not otherwise, haunted the gin-shops, though his nose be rubied with carbuncles, there is sufficient evidence that the habit is productive to him of pure and preponderant good, and without any regard to the future soundness of his liver, it is fit and proper that he should continue a dram-drinker for the rest of his days. What do the tea-totallers say to this?

Descending from these high principles to their application, that is, to particular virtues, we find, as we might expect, friendship (or as it is here called, *amity*) treated of, we must admit, in the most business-like manner. In amity, we are told—

'Prudence makes a sort of commercial bargain—the sort of bargain on which all commerce is founded. The expenditure is expected to bring

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bring back something more than its cost . . . . Here is prudence acting in two directions, prescribing expenditure in as far as it promises a beneficial return, inhibiting expenditure where the beneficial return cannot be reasonably anticipated.'

Thus we have not only trading politicians but trading friends. In fact, the whole treatise on *amity* turns on making up an account of profit and loss, and is besides, we must say, very like an apology for the art of toadyism. Furthermore we are told that vanity, when it leads, as it often does, to 'beneficial expenditure,' is a virtue; but that 'envy and jealousy are neither virtues nor vices—they are pains.' We had always thought that the former of these had been not only a vice, but a vice 'par excellence,' the meanest of all vices. If the Deontologist, however, be thus tolerant in most quarters, we find him in one instance unaccountably severe:—

'A mother steals a loaf to satisfy the hunger of a starving child. How easy it would be to excite the sympathies in favour of her maternal tenderness, so as to bury all consideration of her dishonesty in the depth of those sympathies! and in truth nothing but an enlarged and expansive estimate, such as would take the case out of the region of sentimentality,' &c.

Talk of sentimentality, indeed, and expansive estimates! why, if the child *were starving* the mother would be perfectly right. The law of England allows a man to take a loaf where he can find it, if he be starving himself. All we know is, that if we were on the mother's jury we would not convict her.

Such are some samples of the last new moral system which the nineteenth century has brought forth in this country; and we must say, that with all our veneration for the useful notions of that century, and all the befitting mistrust which we are bound to entertain for the wisdom of every century which preceded it, still, though we are no believers in the pre-existence of souls, nor pretend to know much about the independent existence of ideas, if this be Benthamism, of the two we are for Platonism.

But systems founded exclusively on benevolence, limited that is to the obligation of producing happiness in others, have not only the defect of a constant downward tendency to end in the desire of creating pleasure for self; they further labour under this fault, that they resemble a law which is unable to execute itself, which contains no enactments insuring its own due observance. The supposition on which they are founded is, that all moral actions have a bearing more or less strong upon the good of society—that their quality of good or bad is to be determined by that bearing—and that by this result of theirs also, what is another material circumstance, the moral agent is to be decided in his adoption of what

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what is right and his avoidance of what is wrong. It is not difficult indeed to dress up a code in this way upon paper. If you do so, however, you will find, when you reduce it to practice, when you persuade, if you can, men and women to act upon it, that though it may work pretty well when the duties relate immediately to some individual with whom the agent is in near contact, to a relative or a dependant, it will work very little, or not at all, where the public at large alone appear to be concerned. A man will refrain from anger perhaps towards a friend or a servant on these grounds—as he supposes. So far well; but if he be tempted to any personal indulgence, drunkenness we will say, how will you act on him now? You may tell him that if all mankind got drunk no business could be carried on, and that therefore out of philanthropy he should not set so ill an example; or you may try him by saying that if he be seen in a drunken state he will lose his beneficial influence upon society, or that if he become a confirmed drunkard he will no longer have faculties for carrying any good public purpose into effect: there are more ways in which the thing may be put to him, but we doubt much whether these general reflections will keep many men from their bottles. You will most likely be as much disappointed if you try to rest other duties, truth, firmness, justice, on the mere abstract motive of public good: something you may do; but the ill effect of a departure from your rules, or the benefit of their observance, will be seen in so hazy a background that you will find that observance a very loose and slippery one at the best.

This defect may be said however to prove only that it is difficult to enforce rigid morality upon man,—to compact a strong building with such yielding materials. It may show, you will say, not that your system is false, but that man is frail. But if you should find that human creatures, frail as they may be, do possess virtues that have no direct public motive, and yet exert a very binding force over them—modesty for instance on woman, the sense of honour on man—then you will no longer be able to deny that there is some principle besides your generalising benevolence at work within them, and that your system is incomplete.

Thus we are brought back to Schleiermacher's other great class of moral systems—those in which moral excellence is itself the ruling aim and object of moral conduct. Now it is clear that since in every moral action there is the person acting and the person acted upon, the reason by which the action is rendered right or wrong may lie in its effect either upon the former or on the latter. Thus it may be right that a person should give

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his money to another, because the other is in urgent want of his assistance; but it may be also right, because if he spend his whole income upon himself, thinking of his own comforts, gloating on his own pleasures, turning his mental eye inward upon his own internal world of sensation, absorbed therein, he will not merely omit what is right by withholding a benefit from his neighbour, which his neighbour may perhaps not much miss, but because he will convert himself, by the habit of such parsimony, into a sordid, contemptible being; whereas by an opposite course he might become a free-hearted and generous one. In this point of view, if John refuse Thomas a few pence, the evil consequence of the denial lies not in the risk of hunger or cold to Thomas, but in the danger to John, that if he do not take care he will grow to be a niggardly fellow. This is, however, what our modern moralists have singularly lost sight of. They can see, we doubt not that, apart from all consequences to others or to the party himself, it is simply in itself better to be a Tyrolese than a Neapolitan, to be Othello than Iago, to be Sir Philip Sidney than Titus Oates; yet they confine all their estimates of moral actions to the external effects of those actions, and will not look upon the character of the man as in itself worthy to be regarded as an ultimate object, were it only as being capable of moral beauty far exceeding the beauty of the Apollo or the Laocoon, or as liable unhappily to moral turpitude more disgusting than the dunghill which they would remove from the lawn under their window. This they have so much lost sight of in their scientific theories, that it is become a difficult matter to represent this end distinctly as a principle of moral speculation. Yet our own immediate consciousness tells us that, as it is better, all consequences apart better, to be a man than a pig, however happy the pig may be in his straw, and however subject to anxieties the man in his study: so it is better, all feelings of pleasure or honour put aside, unconditionally better, to possess a pure than an obscene mind, a mild than a cruel temper, a frank than a treacherous disposition. If this were not mankind's opinion, if they thought that the character of moral actions depends only upon their results to the public, we should hear very different language upon moral subjects. Of the liar it would be said, 'Poor fellow, he is not aware that the general interests of society require us to be correct in our statements;' of the slanderer, 'How I pity Sir Benjamin Backbite! if he took a more enlarged view of the world, he would not fawn upon his friend at one moment and at the next pull his reputation to pieces.' Such never was human language nor human feeling. On the contrary, in every nation there is a standard,

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high or low, of moral qualities, up to which each individual feels himself bound to keep his own moral character; when he falls below which at all he acknowledges himself to be wrong; which if he signally depart from he cannot obtain his own forgiveness.

This view of duty, which looks to the moral state of the agent's mind, is incomparably stronger than that which handles the general consequences of his actions. The men of old did not die at Thermopylæ because they had calculated that it was more expedient for Sparta to lose the flower of her forces than that her citizens should in any case retreat before a superior force, but because they could not make up their minds to show their backs to the Persian, and they left behind them that beautiful epitaph—'O, wayfarer, bear word to the Lacedæmonians that we lie here, having obeyed their orders.' Lucretia stabbed herself—very probably this is an historical fable, but it is not the worse evidence of national feeling—because she could not endure the sense of pollution, not from any generalities as to average consequences of female conduct. It may be said, that life was surrendered in these and other like cases from the fear of public reproach in a continued existence. But the seat of the question is only thus transferred from the breast of the individual to the minds of the spectators. The principle is the same. On what but on a standard of moral character can the public condemnation, which is so deeply dreaded, be founded? If you wish, however, to narrow the experiment further, take the untutored Huron in his death of tortures. He has no future public opinion to fear if he give way to unmanly cries. His life and his sufferings will be closed shortly together. It is his sense of moral dignity, his reference to an ideal standard of moral beauty, which raises him above his last and unavoidable agony. This was the view of Plato, the pith of whose philosophy is summed up by Dr. Ritter in the question—'To what end do we live?' and in the answer—'That we may generate the utmost possible knowledge of what is good, and thereby the purest possible good in our own souls.' This was the doctrine of Aristotle, his scholar. According to him, 'a good and honourable course of action is one of those things which are to be chosen for their own sakes.' So the Stoics taught that moral action, or rather the power of moral action, is the one thing needful; while at the same time Chrysippus, of whom it was said, that 'without him there would have been no Stoa,' admitted that 'the man must be mad who set no value on riches or health, or such other advantages.' The later Stoics indeed talked nonsense in asserting that pain is no evil; but Stoic and Utilitarian taken together, folly for folly, whether is it worse to say with Cato that a toothache is no evil, or with Dr. Bowring that envy is only a pain? So, if we pass

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from the elder to the younger philosophy, so taught the venerable Kant, who, finding German morality at the close of the last century almost wholly decomposed and putrescent, arrested the plague by simply laying down in his moral system that there is a voice within us which can speak with an unconditional THOU SHALT. So strongly too did this father of the critical school regard the moral improvement of the soul as the ultimate end and object of ethics, that he even laid his evidence of immortality in the necessity which we feel of a constant progression towards absolute moral perfection, coupled with the impossibility of reaching that goal within the space not only of the present but of any finite duration of life.

After all, we incline to think that the view which values moral actions rather as they indicate the character from which they proceed than as they affect the interests of those towards whom they are exercised, is gaining ground with that party which seeks to guide the future development of the English mind, not, however, we must say, in a shape which pleases us altogether. We are not sorry to hear of moral elevation of mind, rather than of the balance of profit and loss arising from the commerce of amity; but we hear also too much of the noble destinies of the human race, of uplifting consciousness and ardent aspirations, and, what strengthens our suspicions, when we take up the popular novels of the hour, we are almost sure to find all this mystical invocation of the ideal Good, and Noble, and Beautiful in the mouths of seducers, and dandies, and charlatans. The more these Grandison-Don Juans—as Mirabeau, who liked such compound designations, might have called them—admire all the virtues together, the less do they seem disposed simply to practise one of them. Those who form for themselves, however, noble characters are not they who speak of virtue idly, tacitly taking praise to themselves for possessing the taste to see her poetical charms; but they who, having in their minds a high standard of duty, regard it as a serious law of conduct, and, amid all the sacrifices they may make to that law, are so convinced of its rightful authority over them, that they are rather ashamed of any departure than elated by any compliance with its behests.

With regard, however, to the two classes into which we have seen moral systems divided—those which direct man so to act as to make others happy, and those which tell him to embody in his own mind, as far as he is able, all that is praiseworthy, and subdue in it all that is base;—the first will be mild but weak, and soon sensual, consequently at last selfish—the second, strong at first, but stern, and very probably harsh, next cold, and at its end formal merely. On either of them a moral system may be framed, that

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that is, from each the ordinary duties may be deduced—from each imperfectly. They might, indeed, be blended for practical purposes in a first principle, which should bind a man's actions by the double law of promoting, as far as he was able, at once the moral perfection and the enjoyable existence of his fellows. His own moral purity must of course be included in his endeavours, and indeed his own happiness too might be introduced under that formula which Fichte proposed, and which seems to clear this minor difficulty, namely, that each man ought to regard himself *objectively*, that is, as we should interpret the rule, ought to deal with himself in matters of happiness as with one entitled, on considerations of justice, to the degree of care and concern on such points which he would think it right to bestow on another, of whose person he had the disposal and guardianship. Would such a fusion of systems, however, solve the great problem? We believe not at all. A world in which each should, from a sense of duty, and from a sense of duty alone, endeavour to promote the progress in virtue of his associates, and to afford them pleasure or relieve them from pain, might be a faultless world, but it would be a cold and unengaging one, and, we will add, it would be morally incomplete.

'Where then,' it may be asked, 'shall we look for an answer, if all fields of inquiry have been tried in vain?' 'Are you sure, however,' we would venture to reply with this question to the moral student—'are you quite sure that *all* the fields of inquiry have really been tried?' Grecian ethics, it is well known, were too political. With the Greeks the State was all in all; the individual was valued only as one of its constituent parts, who must be contented with the care bestowed on him in that capacity, whose rights, whose feelings, nay, whose morals were bound to give way to the interests of the State, or rather who was bound to mould those feelings and those morals into such form as the State might impose on him. His existence was regarded in the State only. Our own recent systems, on the other hand, view man, we think, too much as a mere individual. They cannot, of course, lose sight altogether of his social relations; but they treat him as if he were capable of maintaining his own powers of mind by his own efforts in a state of independent self-government. Accordingly, when they enter into the details of conduct which they would impose on him, they class those particulars under the heads of virtues, as truth, justice, courage, temperance—that is, qualities of his mind—but have no room for the various relations in which he stands towards others—his duties, namely, as a son, a husband, a father, a brother, a friend, or a subject.

Man, however, is not this insulated being, and to treat him as such

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such in your moral philosophy, is much as if in natural science you were to speculate how a single bee might build his separate cell, and maintain himself there through the winter's frost; or, as if in your code of naval discipline, you were to treat each private sailor as the independent disposer of a line-of-battle ship. To make our meaning clear, we would take up this last comparison, and say, that as you would not consider the integral parts of a gallant fleet to be the individual men who are embarked upon it, but the ships, each with their bold companies, which are the smallest units capable of taking a several share in the combined function: so in your moral philosophy, when you examine that civil life, for the laws of whose actions you seek to account, you must take as your unit not the individual man or the individual woman, but you must have in your view the family, as the organic part of which the social frame is knit and compacted together. For the first years of man's life, independent being is out of the question. Material wants bind up the child in the aggregate of the family. A short desire of independence arises indeed in the youth, but unless artificial hindrances stand in the way, it soon passes into the natural wish of becoming himself the head of a similar commonwealth. As such he passes his noon of life, and the decline of its warmth only renders him more dependent on the home to which he has given birth. It is here, then, and neither in the abstractions of public expediency, nor in the imaginary solitude of his single breast—it is here that, if you wish to know man and the conditions of his being, you must follow, and, we should say, not coldly analyse, but respectfully study him.

This would be indeed a true Baconian course of moral inquiry. We should have good hope of the science, if an acute eye, serving an expanded head, and directed by a right heart, could be applied to the sanctities of such an English fireside as Washington Irving would paint. We should not be told that the mother who, unseen of all, wears out the nightly hours by the pillow of her sick baby, or the daughter who passes her devoted days in cheering the sinking spirits of an enfeebled father, devouring her own heart, as Homer said, while she can wear a smile for him, and simulate hope,—we should not be told that this affectionate mother or daughter, perhaps the same person, had maturely balanced the pleasure which she should find at a neighbouring ball against that which would accrue to her from her nightly or daily watchings, and had astutely chosen the more agreeable occupation; nor yet that she had discharged the task because she conceived herself bound to assuage the sorrows of others, nor even because she would purify her own mind by the discharge of such obligations. What new principle have we then here? Nothing strange,

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strange, nothing refined, nothing sought from afar; simply and wholly, the free course and voluntary compulsion of unbought, untaught, and often unrequited affection. It is nothing—tell it not in Westminster—nothing but love, strong as death. Whisper it not to utilitarians—it will not maximise happiness: for if that frail cry be silenced for ever, it will not be appeased even by other voices that joyfully call out 'mother.' It is only the same unprofitable principle which made the great Duke of Ormond exclaim, 'I would not give my dead son for the best living son in Christendom.' When those hoary paternal locks have passed from sight, it will cling to the mouldering ashes, or hold converse with the parted spirit, until it have wasted the mourner's frame with baneful pangs of useless recollections; it is unworthy of a rational calculating man; it is no wiser than the dog that howls over his master's grave, refuses food, and even pines away there.

It is here, however, we believe, that the moral philosopher may find if not the first principle of his science, yet one of the most important and comprehensive. We do not, of course, speak of such love as burns in the ode of Sappho, nor yet of such sentimental love as realises that theory, the stupidity of which, when applied generally, outrages common sense, and does indeed tamper with the kindly affections, looking to the gratification derivable from their exercise, rather than to the object by which they are called forth: the love we mean is that bond which, traversing a happy, well-ordered family upwards, downwards, or along level ranks, binds together husband and wife, draws the parent to the child and the child to the parent, ranges brother by brother, and with its golden chain compacts the individual members into a well-ordered commonwealth, as a part of which the future man arrives at the first consciousness of his existence, and under whose laws the first years of that existence are passed. The philosopher will have to inquire into the character of this bond. Its character we take to be, more or less of course—according to its strength in particular cases—but, whether more or less, still a certain community of will, of joy, of grief, of thought, of interest, of hope, of fear, of existence, absorbing into itself, as far as it extends, the individual will, joy, grief, thought, interest, hope, fear, existence of each particular member. This is indeed a great principle; especially if, while it is the constituent law, the central gravitating force of the family, the family itself should be the type or model, as well as the germ, of all that is good and noble in larger human societies.

Modern theories of government, indeed, go upon the bare supposition that each subject or citizen, finding it his interest to comply with the laws of the State, obeys those laws, and performs such

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such public services as they impose on him, with a view to that interest only. We have heard this principle called very justly that of a Mutual Insurance Company. In this, however, as in many matters, we believe our modern views are excelled by our still surviving ancient practice—that the remains of old attachments are better than the workings of our new thoughts,—that the ties of which we are unconscious are deeper than the interests with which we are busied. Let us see whether the pattern we have assumed for our State affords no nobler link, and whether that link may not yet be traced in national feeling.

In a family, then, we may safely say, that the brothers and the sisters are not bound together merely by the motive that their separate comfort requires them to be on decent terms with each other, but that each is concerned for what betides the other, more or less, as if it had befallen himself: that his individuality is merged in the assemblage of selves, and that where one part of that collective whole suffers, he is grieved also as a part of the whole; where one member of it joys, he rejoices. One brother does not act for the sister's advantage because he ought so to do, but because, regarding this sister as a part of that whole to which he belongs, he seeks her advantage as spontaneously, we do not say as strongly, but as naturally as he would his own. We might perhaps call at once upon English consciousness in proof that there exists this element of mutual regard in our own country. But exactly as chemistry teaches us that a large portion of the heat contained in each body is dormant and imperceptible, latent heat as it is termed, until some change in the atmosphere draws it forth, when at the same time the yielding mass from which it issues assumes consistency and presents solid resistance—just in the same way our warmest affections often seem to sleep, until occasion has drawn them forth. States, too, are now so large, that we scarce come in contact but with countrymen. Exultation in national victory may be but disguised selfishness. That subscriptions should be called forth rather by the distress of cotton-weavers at Manchester, than of silk-weavers at Lyons, rather as lately by famine in the Highlands, than in the Papal States, may arise, not from fellow-feeling, but from the mere local neighbourhood of the sufferers. Still we may find, doubtless, if we look for it, some familiar instance that may test the matter, and the more familiar this *instantia crucis* the better. Why, then, it occurs to us, did a gallant veteran three years since in the House of Commons—(there is no reason he should not be named, for Sir John Elley never said or did any thing of which he need be ashamed)—why did he, who was most strongly opposed on political grounds to the cause in which General Evans and his legion were

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were preparing themselves to embark, during a debate on the impending expedition, almost in spite of himself, in a lengthened speech, give to that officer the very best advice as to the proper mode of dealing with Spanish allies, which his own great experience of that nation suggested, thereby doing his best to ensure the success of a cause which he yet heartily disapproved? Clearly and only because the wishes and judgment of the politician were overcome for the time by the unconscious sympathy of the brother-soldier and fellow-countryman. This incident may have raised a smile, but there was a right good lesson to be learnt from it too.

While we write, we have met with another testimony, so much in point, and from so good a quarter, that we will place the deponent at once in the witness-box. The Duke of Wellington thus writes to his brother (Lord Cowley) from the neighbourhood of Vittoria:—

'Salvatierra, 22nd June, 1813.

'My dear Henry,—I have the pleasure to inform you that we beat the French army commanded by the King, in a general action near Vittoria yesterday, having taken from them more than 120 pieces of cannon, all their ammunition, baggage, provisions, money, &c. Our loss has not been severe. . . . . I am much concerned to add to this account, that of the severe wound and reported death of Cadogan. . . . He had distinguished himself early in the action; . . . and received a wound in the spine as I am informed, and he died last night. . . . . His private character and his worth as an individual were not greater than his merits as an officer, and I shall ever regret him. *It is a curious instance of his attachment to his profession, and of the interest he felt in what was going on, that after he was wounded and was probably aware that he was dying, he desired to be carried and left in a situation from which he might be able to see all that passed.* The concern which I feel upon his loss has diminished exceedingly the satisfaction I should derive from our success, as it will yours.'—*Gurwood*, vol. x. p. 454.

If the dying gladiator, absorbed by domestic affection, according to Byron, 'thought of his young barbarians all at play—thought of their Dacian mother,' surely it was a no less substantial attachment which at the same final hour would so strongly fix the eyes of our expiring soldier on the fluctuations of his country's battle.

After all, science has, perhaps, not waxed so cold among us that any proof of such a principle as national attachment should be required; but meet an Englishman in Pall-Mall, and he is perhaps disagreeable to you; encounter him at Constantinople, and you may both be well pleased; find him in Persia, and you are on the way to be friends. We must all agree with the sentiment of Major Dalgetty, that however little he might be touched if

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if a rascally Fleming, or Walloon, or Dane, called for quarter—at least, if an English tongue begged for mercy—he did not know how to strike.

But the family which we have taken as the pattern of our State does not consist only of a mere level brotherhood, however intimately united. Rather, this brotherhood is itself bound together by a similar but stronger upward participation in him who is the source of their being; who regards them still as portions of his own self; and is furthermore regarded by them not only as the object of their love, but of their reverence also, inasmuch and in as far as he is likewise the source of the laws which regulate their fellowship. Their joint relation to him is as of the rays to the centre. It would be easy to point out here the analogy between our type and the greatest of States, the Christian church; His principality, of whom St. Paul says, 'the whole *family* in heaven and earth is called,' or, according to our Anglican liturgy, his '*household* the Church.' But we forbear. In the words of Professor Sewell, 'We are approaching to a point where moral inquiry enters upon facts which are more peculiarly the province of theology.' In the body politic however, as well filial attachment is plainly shadowed out by the spirit of loyalty towards the Head of the State. *Pater patriæ* is, indeed, with German sovereigns, no rhetorical flourish, but a part of their royal style and dignity. In the preamble of their statutes they say,—'Having taken such or such a subject into our *land-fatherly* consideration.' This spirit of loyalty, again, is one of the latent attachments. In ordinary times the subjects speak little of their sovereign; think little of him; you may suppose, care little for him. But let that sovereign make a progress into some unvisited province of his dominions—to Edinburgh or to Glasgow—and you will hear its accents in the shouts of his people; or let an aged monarch lie on his death-bed, and you will not have far to look for the signs of their grief. Now, it is not for us to square this loyal spirit by the new political multiplication-table. The principle is there; and if you would understand human nature, or its best motives, you must not overlook it. It is evidently connected with what is right; for where it is absent—as in the English Republic beyond the Atlantic—you certainly miss essential qualities of the English blood. It is noble, as was the shout of the Hungarian nobles, when their empress, beset by overwhelming foes, deserted by her other subjects, presented to them herself and her infant heir: '*Moriamur pro Rege nostro Mariâ Theresâ*;'—'Let us die,' they said, 'for our Prince, Maria Theresa.' It is strong, or the Tyrolese peasant would not have made good even his Alps against Napoleon; firing balls of stone from fir-tree cannons, or discharging

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discharging his rifle from the ramparts of waggons, which the wives drew up for help in the face of the enemy. Here, we admit, it may be fairly asked by the philosopher, 'Why did the Tyrolese make such sacrifices rather than quietly submit to transfer their allegiance from Austria to Bavaria, from one German government to another, which might rule them as well, and did, in fact, we fear, rule them better?' The true answer, we believe, is this: that all real attachment is not only of an enduring character, but contains, if we may so express ourselves, its own principle of self-maintaining vitality. We mean, that it is not only a force which is not easily worn out or exhausted by time, and therefore a lasting one; but that if there were any danger of its decay, man considers it a sufficient ground for the maintenance of affection, and for the observance of the duties implied in affection to an individual object, that it has once been shared with that object. Once given, in short, it has been given for better for worse, for poorer as well as for richer, till death do part; and this principle of constancy, whether in the family or in the State, has always been admired as a most noble quality. As regards the family, we may cite as old a case as Penelope, and we hold the Odyssey to be a good text-book on these subjects: for the State, we need go no further than to Scott and Flora M'Ivor.

This indissoluble character of the bond, indeed, is not confined to the living. Even after death hath parted, the golden chain holds on, though one end of it be lost in darkness and clouds.

'Ille meos, primum qui me sibi junxit, amores
Abstulit, ille *habeat secum, servetque sepultos.*'

The son cherishes the image of his departed parent with the affection that was borne to the living one; stronger, perhaps, since it is the only feeling that can now remain. Again, in his boyhood he will have heard that father dwell with pious regard on the former generation of his own parents, and will thus have been united by an intermediate living link with those whom his eye has not seen. Thus the fellowship to which the child belongs, and the man afterwards, is composed of the unseen as well as the living; and in proportion as there has been merit in those who have passed away, or strength of affection in their successors, will he have looked up from his cradle to a line of dim but friendly images, their brows encircled with the halo of the tomb, in whose venerable assembly, united by mutual regard, he is one. If we seek a strong instance of the force of this tie, we have a large portion of the millions of China, who, knowing nothing better, place their whole religion in yearly sacrifices on their ancestors' sepulchres.

Here, again, in the State we have many points of resemblance with

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with our pattern, the family. First, we have rewards of the dead bestowed on the living. Hereditary legislation is a direct practical testimony, on the part of the State, to the principle, that death does not dissolve the community of the family, and that doubly; for she rewards the services of the departed father by conferring her best honours on his living representative; and, again, by imparting power over herself, on that sole ground, to his latest descendant, the State shows her expectation at least, that he will not disgrace the illustrious fellowship whose line he prolongs. Then we have history awarded to the generations of grey forefathers. History, we humbly conceive, is not only no old almanack; but English history, we further think, is not merely, as it has been better called, history teaching by example, at least not for Englishmen. It is rather, we should say, the title-deed of our national glory; the pedigree of our national character; the bond of our national fellowship; the means of communion with those English ancestors who founded for us, and whom we do not dismiss from that kindred fellowship. We do not take our side only at Trafalgar and Waterloo, but at Blenheim and Ramillies—ay, and at Cressy and Agincourt. Lord Falkland is one of us; so is Sir Philip Sidney; and Richard, in his prison on the cliff of the Danube; and even Alfred, in the neatherd's kitchen. Again, we have monuments in Poets' Corner, as well as family-pictures at our country-houses. And on this instance of public monuments it may not be amiss, we think, to look at the various views—some wrong, some incomplete—that may be taken of such a matter. If a country should lose a great man to whom it owed as much as this country owes to that great Marshal whom we have still among us—long may it be allowed us to keep him—and it were proposed that a statue should be raised to his memory in Westminster Abbey, some member for Middlesex or Kilkenny might, perhaps, be found to object altogether, on grounds of economy: this would be sheer dull heartlessness: another, however, might consent, 'because it is useful for a country, by such marks of honour, to quicken others in the same path of danger for her own defence.' This we should call political selfishness or Utilitarianism: another might also agree, 'because it is desirable, in all ways, to encourage a public *taste*,' as it is called, 'for the fine arts.' This ground is akin to sentimentality, which makes the motive for affection to be the pleasure derived from affection. Another might support the proposal because 'we should raise our own minds by contemplating the likeness of a great and good man.' This would hold equally good with a bust of Gustavus Adolphus. Another, as 'a due offering of public gratitude.' This is right, but not all; for as much might be said, and more truly, of a grant of money during his

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his life. Another, 'because it would gratify him, were he living, to see this sign of our regard for his memory; and it is doing what he would wish us to do.' Better still; but the same grounds might be laid for the grant of an annuity to his heir. If one should now say, 'Because he did us great services, and loved the country, and was beloved by us, while he was one of us, we fondly desire to retain his very image, setting it not for show in a gallery, but in our sanctuary among those we most honour, that so far as in us lies he may be one of us still, and may be known and reverenced by our children.' This last reasoner, we believe, would have nearest hit the truth of human nature.

The Baconian inquirer would find, too, that we have a regard for our institutions and our laws, for the trial by jury, and the Habeas Corpus Act; not merely because they are free, useful, or sensible, but also because they are institutions and laws of elder Englishmen. Upon this let us hear Mr. Sewell:—

'That man, indeed, is guilty of a deep sin against his moral nature, who can stand on the soil of this country, and call up the image of its constitution, and gather round him a guardian host, beneath whose lessons and inspirations he is living—its sages, and heroes, and kings, all the line of a noble ancestry, and the wonders of their deeds—and can remember that this ancestry is his, and this inheritance achieved for him, and can then turn away without a thought, that he owes a duty even to the memory of the past,—that generations may have died and their monuments have mouldered in the dust, but that a spirit has been left in the land, before which, as reasoning creatures, with hearts of flesh and blood, we are bound to bow down and serve, not servilely, not blindly, but with deep reverence, with affectionate gratitude, with filial faith, with most earnest zeal.'

On this inheritance of national spirit we may have a word to say presently; but to conclude our parallel between the Family and the State, as it holds good for the present and the past—so with the future. The country gentleman plants, and builds, and purchases for himself and for his heirs—*serit arbores alteri quæ prosint sæculo.* Nor can any Englishman bear, while he contemplates the present power of his country, to look forward to the day, however distant, when her flag may have become a stranger in any commercial port. Lastly, the picture of the family is not complete without the home, if possible the old ancestral home, its hall and its gallery, its courtyard and old waving elms, under which generations have gambolled in childhood and have rested in age. The human mind has certainly the singular property of uniting itself in affection, not only with persons and communities, but with inanimate objects, stocks and stones, which, like the lovely landscapes of Raphael, assist to combine the historical groups

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groups in the foreground. And so to end with* one who drew much of his inspiration from this very source—

'Breathes there the man with soul so dead,
Who never to himself hath said,
This is mine own, my native land?
Whose heart hath ne'er within him burn'd,
When home his footsteps he has turn'd
From wandering in a foreign land?'

We have been the more anxious to make out this resemblance between the smallest and the largest of human societies, between the family and the state or kingdom—(the only European state, by the bye, Switzerland, which is no kingdom, and can have no loyalty therefore for the land's father, appears to have only the more attachment for the land itself, that is, for the public home); but we think the analogy of the more importance, not merely because we believe the state or kingdom to be something more noble than the Atlas Insurance Company, and hold its cabinet to be responsible for the destruction of higher things than are the directors of the Sun Office;—and so speaks as yet our national sentiment—though who knows how soon bad doctrine unrepressed may become wrong practice?—but we also incline to believe that moral science might be advanced by substituting the family with its common affections, for the individual character on the one hand, and for mere average bearings on the interests of social masses on the other, as the subject of its researches. Let us take, for instance, any single moral quality —truth. There can be no doubt that the tendency of trickiness and deceit prevailing in any nation would be to check its prosperity by impeding its commercial intercourse. There are, in fact, at this day nations, the progress of whose commerce is impeded by a want of reliance on the character of their merchants. Hitherto, we hope even yet, though we have heard the contrary, our Manchester goods have sold, not only for their cheapness, but for their good materials and lasting fabric. Here, then, we have the great public convenience of truth; but few will say with the Utilitarian that we have got at either its binding nature or its sufficient motive. Again, an untruth shows, undoubtedly, the low moral tone of the mind which gives birth to it. It argues

* There is no one to whom more justly than to Sir Walter Scott can be applied that saying of Plato's: Τρίτη δὲ ἀπὸ Μουσῶν κατοκωχὴ τὶ καὶ μανία λαβοῦσα ἁπαλὴν καὶ ἁβατον ψυχὴν, ἐγείρουσά τε καὶ ἐμβακχεύουσα ᾠδῇ τε καὶ τῇ ἄλλῃ ποιήσει, μυρία τῶν παλαιῶν ἔργα κοσμοῦσα, τοὺς ἐπιγιγνομένους παιδεύει. Whoever acquaints himself with Scott's early life passed among those hills which he loved so dearly, and in the study of that lore which also told him of the warrior race that had passed away, will see how 'the third kind of possession and inspiration which is from the Muses taking hold of a tender and untrodden soul, rousing and hurrying it forth among songs and other poetry, *adorning ten thousand deeds of those who are gone, forms them who come after.*'—*The Phædrus*, § 49.

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cowardice, want of self-respect, or selfishness. But let us suppose that the untruth is told by brother to brother, or by husband to wife. Is it not more than a mere want of veracity? Is it not a breach of that bond on which their fellowship rests, and therefore faithlessness? Is it not also abuse of the confidence yielded that truth shall be told, and consequently treachery? Does it not prove the absence of that regard, which is the implied foundation of the connexion, and is yet withheld by the deceiving party; is it not therefore the result of ungenerous coldness? Passing from the mere family, we have no doubt that it is upon such an implied confidence of manly fellowship that the superior sacredness rests of a gentleman's honour. The same reasoning would apply to envy—which as between sisters of one household could scarcely be regarded as only a pain—to calumny, to wanton ridicule, to all the active moral qualities. Thus, we think, the moral inquirer would find that all the virtues and vices of a man, in as far as they bear upon others, have a social character as well as a public or a private tendency,—that social character, by its implied precontract, giving them their fuller impress and more binding sanction as duties or breaches of duty towards those who, as fellows of the same great family, should have no wrong to fear from one of its brotherhood. It would follow too, of course, that the more vividly that fellowship could be realised in a social body, the more strongly would this moral sanction govern its individual members.

Moral philosophy does, indeed, require to be pursued on an altered plan. Our books proceed from some one principle downwards, and from that one principle, whatever it be, derive all moral laws. Hence their one-sided tendency. Hence, as Schleiermacher has proved, we believe, not one system that will hold water. Why not reverse the process, collect your data carefully first, and then proceed to deduce from them your general laws? You cannot, indeed, nor ought you to make experiments upon man, as on a living subject. But you have also no need of them. One who could do for our moral, what Montesquieu did for our political laws, would have before him a noble field, ripe for his philosophical sickle. He would do well, we think, first to study the household. He will find there such evidence as Plato says 'appears suspicious to the cunning but trustworthy to the wise.'* Let him digest what he knows of an English noble-

* 'Η δὲ δὴ ἀπόδειξις ἐγὼ ΔΕΙΝΟΙΣ ΜΕΝ ΑΠΙΣΤΟΣ ΣΟΦΟΙΣ ΔΕ ΠΙΣΤΗ. The object of Plato's demonstration is exactly to the purpose of our protest against Dr. Bowring's notions of *amity*, namely, ὡς ἐκ τοῦ ὠφελίμου ὁ ἔρως τοῦ ἐρωτικοῦ καὶ τῷ ἐρωμένῳ εἰς ἅπαν ἐκπεφασται;—'That love is not sent down by the gods to the lover and to the person beloved for the sake of *utility*.'

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man's family, or a country clergyman's, such as our readers could point out many; the courtesy, gracefulness, purity, kindness, unity of its daily intercourse, flowing freely and sweetly, not from calculations of average consequences of conduct, but from self-respect, mutual confidence, esteem, affection, joint reverence, common piety. If he would know a particular virtue, let him study it in that member of the household to whom it belongs more especially—calm self-devotion, for instance, in the English wife. If he can read in her true heart, he need not seek that virtue in the romance of history. Let him look at such a simple account, as we read lately, of a poor lady, who awaking in the night, called her nurse, told her that she was dying, gave her last directions, but desired that Mr. S. might not be called before his usual hour of rising, because, when he was disturbed in the night, it always harassed his nerves; and with these words the poor soul departed. This is worth all your heroics. Since, too, the philosopher must know the black side of the human heart, wilful cruelty, treachery aforethought — though these are, we believe, of infinitely rarer occurrence—let him analyse such words as these, reported to have been spoken by a Frenchman, when he heard that a woman, whose affections he had won, had died because he had forsaken her—'Il importait à mon amour-propre,' said the vain miscreant, 'qu'elle mourut de ma desertion.' In the father's treatment of his children, he might find the normal example of distributive justice. In both parents he might see how cheerfulness, the most difficult virtue of advancing years, is rendered easier by reflected participation in the joys of their children, and would learn, that in order to laugh from the heart you must love from it too. The trusting obedience of the child would afford him a lay illustration of Christian faith. From the family, the inquirer might pass to the professions, the mildness of the pastor, the gallantry of the officer. Thence he might proceed to national character. He must observe the distinguishing feature of each nation, and study it in that nation's history; the Greek's love of beauty, the Roman's sense of dignity, the Englishman's fair play, the Irishman's warm affection, the Frenchman's bonhommie, the German's simplicity and his candour of judgment, not forgetting their leading defects on the other hand. He must mark, too, how their other qualities are affected by their chief characteristic. But, again he will find the moral rules of practice in different nations apparently contradicting each other. Hence, shallow observers have often drawn the sceptical inference, that there exists no common standard of morality whatsoever. To take the hacknied instance, an European, they say, cherishes his decrepit father, a red Indian slays him. But the Indian,

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Indian, he will observe, dependant for support on his scanty chase, and constantly shifting his quarters in its pursuit, when he can no longer convey his parent through the forest—we do not justify his conduct but state his motives—ends his sufferings rather than leave him to a death of starvation. Here, then, is a fearful contradiction of practice, but no opposition of principle. Political history is, however, not the only living picture of national character. We had almost rather study a people's views and feelings in their traditional literature, in their early or popular poems particularly, than in their public histories. Homer, Horace, Dante, the ballad-writers, Shakspeare, Cervantes, Molière, Goethe, Scott, are witnesses whom we would call, not to national character only, but on human nature. All the fine arts of a people must be consulted. Their proverbs must be by no means neglected. The philosopher's researches must not be concluded here. Unless he acquaint himself with the history of past philosophies, we will answer for it, that after ten years of speculation, he will find that he has followed some hypothesis along a bye-road, which former inquirers had pursued without reaching the goal. If he does not discover this, at least others will. Finally, and above all, as a Christian philosopher, he will take the spirit of the Church Catholic for the guide of his investigation—not forgetting the canon—'Christianity is the foundation of ethics, ethics the illustration of Christianity.

The more human nature is thus studied, the more, we believe, will it appear, that as matter, by its own law of attraction, draws towards matter, as two drops of water on the smooth surface of a leaf unite into one, so spirit draws towards spirit; and as bodies thus uniting in space may acquire a common motion compounded of their individual vagrant courses, and proceed to revolve round a central sun, so do spirits tend to combine themselves on common laws, and to gravitate freely towards a common centre of reverence, affection, or duty. You may see this tendency more or less completely manifested in many familiar cases. The influence of music probably depends not more on the sweetness or the harmony of the sounds, than on its power of uniting for the time the minds of the listeners in a sympathy of the tender or the noble affections. The same principle may be found in social amusements, whether athletic games or field-sports.

This tendency, however, does not stop at a mere participation in some impression, but proceeds to interchange of thought, and this, if it lead to regard, leads also to mutual modification of character. This is matter of familiar remark in permanent unions of two minds, whether friendship or wedlock. Here, however, unless there be some great disproportion in the strength of the

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two characters thus brought together, each produces a change in the other, as two nearly equal bodies, meeting in space, would take a new direction—the mean of their several paths. But it is different when communities endued with corporate attachments, characters, principles, feelings, draw an individual into the sphere of their influence, just as some meteoric body may strike our earth, and its inconsiderable force is absorbed at once into our own massive movement: hence the important power of assimilation exercised by all communities upon their members. We all remember the reckless valour displayed by the French armies in the last general war. There was scarce a soldier in their ranks who would hesitate to risk his life on the most desperate chance. Yet, in those ranks were many demoralised, and therefore selfish men—incapable, one might suppose, of any sacrifice, still more of the last sacrifice, to a sense of their duty. But in their corporate capacity, so far as the principle of self-devotion to the honour of the *grande armée* led them, their several lives were to them as nothing. On that point private interest was forgotten, and their will, through their affections, was absorbed in the will of the martial community of which each was an unit. Here we trace clearly the existence of the professional spirit, or *esprit de corps*—the more clearly, not because the courage of that army was higher than the courage of other armies with which it engaged, but because the moral tone of the soldiers who filled its ranks was decidedly lower than that of their opponents. Here, too, in the well-known adoration of their conquering leader, *le petit Caporal*, as they fondly called him, we find the strong tendency of the incorporated mind to form itself an object, in this case an idol, of united loyalty. It appears, indeed, that whatever point of agreement brings the minds of men once into contact—(such is the power of assimilation exerted by any fellowship, even in a small matter)—brings on also a more general communion among them. Common pleasures, as in what is called conviviality—common pursuits, as in science—common opinions and principles, as in political party—unite men constantly in personal regard also. So, on the other hand, mutual regard tends strongly to assimilation of taste, opinion, principle. The mere presence of a large concourse of men, as of a popular meeting, or of a theatrical audience, modifies for a time the feelings of the individual.

An attempt, we know, may be made to account differently for the change which is worked in a man by his entrance into an united body. It may be said that the man of moderate private courage is rendered an intrepid warrior by fear of the shame which would attend his leaving the ranks at a time of danger. This has something to do with it doubtless, but we are too much accustomed

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accustomed to the shallow reasonings of our day to believe easily that this is all. We would ask, Has this soldier no regard, in his own heart, for his regiment's colours, with the fields blazoned on them which that regiment has helped to win? or if he be a sailor, has he no love for the individual ship made of oak and iron, the Thunderer or the Thetis, in which he has sailed—is there not a tear on his rough cheek when by some mischance she goes to pieces, or settles down beneath the surface?—Then we say, if the symbol or the home of his community has his affections, the spirit of that community is in his actions. He will play his part well and boldly, not lest his comrades should disown him, but lest he should disgrace them, and that, so far as in him lies, he may uphold the well-won honour of his ship or his regiment. Why danger, if we may believe Shakspeare, is itself one of those sustaining bonds by means of which a man loses the consciousness of private interest in the prevailing sense of common credit or associated disgrace;—else why should Harry the Fifth say at Agincourt, on the eve of Crispin Crispianus,

> 'We would not die in that man's company
> That fears his fellowship to die with us?'

An intimate bond, too—or the king would not say again, a few lines later,

> 'We few, we happy few, we band of brothers—
> For he to-day that sheds his blood with me
> Shall be my brother; be he ne'er so vile,
> This day shall gentle his condition.'

These last lines remind us of another property of worthy associations and their ennobling tendency. Not only the cause, but the companionship, raises the man; we do not mean fills his mind with windy conceits, but 'gentles his condition,' elevates his will and affections by the consciousness of union with superior minds under a calm sense of their common duties, and of mutual regard founded thereon. Thus, to take at once the highest example: every member of the Christian Church sees himself associated not only with great and good men on earth, but in as far as he extends his view to regard that Church as 'the blessed company of all faithful people,' he sees himself one with a host of departed Saints, and Apostles, and Martyrs; and hence the sublime impression produced in the mind of the worshipper by that thanksgiving of our Church, (we could not venture to quote it for an æsthetical purpose,) which in its opening words unites the congregation yet further with 'angels, and archangels, and all the company of heaven.'

We will tread no further on sacred ground. Indeed we trust we have said enough—not to ground an ethical system, but—to show

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in some degree what an ethical system ought to be. Of thus much we are sure, that it is with such things as these, with decent self-respect, with firm self-government, with mutual affection, with common reverence, with willing obedience, with unshaken constancy, with placid resignation, and with these cemented together within some rightful fellowship, Household, State, or Church, which is not limited by present time or space, but retains within its sacred bosom, under its religious laws, all that it has once admitted, in all time and space, cherishing, strengthening, purifying, absorbing, comforting mightily by its Catholic, pervading and prevailing spirit, the failing hearts, fickle wills, and feeble selves of its individual members; that it is with such a spirit and body as this, not with paltry, pettifogging profit and loss on the pleasure of friendship, or the pain of envy, or the possible virtue of vanity, that human nature and moral philosophy have to do. This last, we are certain, was not St. Paul's view of man or of philosophy, for he was appealing to human motives, though under heavenly sanction, when he called upon his converts at Ephesus to keep the unity of the spirit in the bond of peace; and added, as the ground of that appeal, 'There is one body and one spirit, (even as ye are called in one hope of your calling,) one Lord, one faith, one baptism, one God and Father of all, who is above all, and through all, and in you all.'

Utilitarianism, as concerns *morals*, we suspect has had its day. Bentham himself did perceive at last, as he tells us, that it is not enough to call a murder useless, or its prevention useful. Is this word 'useful,' however, we would still ask, a more exhaustive designation of *science*? With all courtesy to Lord Brougham and an array of eminent persons, we are satisfied that a grosser fallacy was never vended by sophists or astrologists, than that title 'Useful Knowledge,' which they have stamped on their penny performances. The things treated of are useful, undoubtedly; the smoke-jack is useful for roasting mutton; the melting-vat and the moulds are useful for the formation of soap and candles; and thence it is assumed that an acquaintance with the mechanism of these implements is useful to the gentleman who is to make *use* of their products. Now the dinner, we readily admit, is useful, very useful, to the hungry student, the candles to a diligent, the soap to a cleanly one; but unless you can prove that the reader of your pamphlets is better supplied with these articles than he would have been if he had left the theory as well as practice of their manipulation to his cook or his chandler, you have no right, either because the machines are useful or their products are useful, to transfer that epithet from the things to the knowledge of them; you might full as well call it fuliginous knowledge,

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knowledge, or greasy science, or unsavoury literature, or style the authors of such books saponaceous professors.

Still it may be replied that this sort of knowledge is useful, not because the objects it treats of are serviceable, but because an acquaintance with manufacturing processes benefits the mind by exercising and expanding its faculties. A most legitimate argument, doubtless; but which requires two things to be proved: first, that familiar knowledge of mechanical and material arts does exert an eminently good influence on the human mind; secondly, that certain other sciences, to which you refuse the appellation, whatever they be, are not, in this respect, at least equally useful.

We will put the case so: 'The Baconian philosophy, having for its object the increase of human pleasures and the decrease of human pains, has on this principle made all its brilliant discoveries in the physical world, and having thereby effected our vast progress in the mechanical arts, has proved itself to be the one and all-sufficient philosophy.' Now, in the first place, we doubt whether modern science has had the object here ascribed to it so exclusively in its view. Let us take some of its branches whose progress has been most decided of late. Astronomy may occur to our readers. It is well known that an accurate knowledge of the motions of certain satellites is useful to the masters of vessels, inasmuch as it enables exploring parties, by ascertaining exact positions, to lay down in their charts headlands and rocks with more consummate nicety. But was this the object which animated Laplace in his profound mathematical studies, or was it this which pointed our Herschel's telescope at the Georgium Sidus or the binary stars? Does this, or any other practical object, give the interest to his gigantic hypothesis which represents the Milky-way as a shoal of suns, among which our own is as one pebble of the sea-beach, and which points to hundreds of visible nebulæ as to similar shoals? Is not rather the cognisance of these astounding regions grand enough to be desirable for its own sake? If we turn from infinite space to immeasurable time, from astronomy to geology, a science which has been born under our eyes, will any one undertake to say that Cuvier, when he built up anew the monsters of the primeval waters, had in view any practical employment of the Saurian tribes, or that all the laborious surveys of strata have been registered by his fellow-workmen with an aim to the only practical use which may be incidentally derived from such knowledge—to wit, a surer mode of searching for coals, and perhaps for some other minerals? Take all the other branches of natural history, and the publications they have occasioned. Does any one suppose that among the myriads of insects, and fishes, and plants, of mosses, and

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and fungi, and shells, that have been classed and delineated, there is above one or two that will thereby be brought into actual service? The popularity of White's Selbourne might give a juster view of the interest which the mind takes in acquaintance with living nature. The Zoological Society proposed to itself two objects—the exhibition of remarkable animals, and the introduction of new sorts of poultry. Its gardens attract thousands of curious observers: its breeding-farm is forgotten. The populace of London, in fine, have a more disinterested and deeper view of science than the utiliser of knowledge. We might add to these useless sciences the philosophy of language, as advanced in our days by the Grimms, &c., and the light it throws on the origin of races, or may shed on the construction of the human mind. Are these things worthy to be known for their own sakes?

But further—we doubt whether the direction of philosophic labour to a definite end is, after all, so likely to lead even to practical discovery, as that more liberal mode of inquiry which examines freely the constitution of matter—if we are allowed to speak only of matter—and leaves to the practitioners of useful arts the application of such results as they can select and adopt for their several purposes. The alchemists were certainly the most *practical* of all analysts; they went straight-forward to the creation of wealth and the preservation of health; but though they picked up some things by the way, they were certainly not the most *fruitful* investigators. We are confirmed in this view by observing that for our new mechanical powers and their adaptations, our steam-engines and power-looms, this country is indebted not to pure mathematicians or to mixed mathematicians, but precisely to the class above indicated, to men not of science but business,—Watts, Arkwright, Hargreaves, Fulton; nay, it is well known that the improvements of these machines are brought about as much at least by the workmen themselves as by their masters. Agriculture owes almost nothing of its advance, even indirectly, to our philosophers. We hope that the society which is about to be instituted may remove this reproach from modern science.

Again, we are doubtful whether the new philosophy, if it be the parent of our mechanical improvements, have done quite so much for the physical good of the country, except in the important departments of medicine and surgery—for which we make a ready and grateful exception—as it lays claim to. Natural industry, stimulated by our climate, has done something. But if we look to the mass of the population—to which we ought to look in this matter—there is not much to boast of in the condition of our agricultural labourer. We doubt whether he might not, profitably to himself, change places with the peasant of Andalusia, a country where the mechanical arts are almost unknown. We are

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are quite sure that the Spanish artisan who, when a job is offered him, opens his strong-box, and if he finds a crown there, civilly declines the proposal, and rather goes out to *take the sun*, as his phrase is, with his wife and family—and a bright sun it is—would be a fool, if he consented to immure himself and his children, from twelve or fourteen years upwards, in the sweltering din of a Manchester factory for the waking hours of their existence. And now that we are on this point, we beg leave to tell the professors of manufacturing philosophy, that they have indeed been Utilitarians here with a vengeance. They have broken through, in their practice, the plainest rule of that better philosophy, which they revile, but which, more human than they, declares that each individual man, woman, and child shall be regarded as an object, not as an implement; and they have made the two or three millions of human beings, whom their machinery has called into existence, blood, bone, and marrow, as much parts and portions of that machinery as any of the wheels, cranks, or levers, which go to its construction. What would Plato say, whose ideal Republic is justly termed by Dr. Ritter one great University—what would that benignant old philosopher say, if he could rise from his Athenian grave, and should be told, not of the infants whose health, and spirits, and life were worn away in these prisons—we would not mention this to him—but, if he were told that these hundreds of thousands had been brought forth in the creation of new arts, by which the State proclaimed that it had profited wonderfully in war and peace; yet, that neither for their religious improvement, nor their moral culture, nor their intellectual advancement, nor even their manly recreations, had the mechanical Philosophy, which boasted them for her children, asked the State to make one single provision, but had left them and their little ones steeped in gin, and filth, and recklessness, as if the grass still grew where their towns had sprung up? He would say, if we are not much mistaken, or would bring forward his revered master using his favourite illustration, and saying, that this must be a philosophy for the work, and not for the workman—for the *shoe*, and not for the *shoemaker*. 'As for your printed stuffs,' Socrates might add, 'they may be very good and stout, though, to my taste, the patterns are not very beautiful. I dare say, however, you have made them as beautiful as you are able; but with regard to your men, sound as the material of their minds appears to be, I do not see that, barbarians as you are, you have done anything to make them either good or beautiful: τουτους μητε καλους μητ' αγαθους εποιησασθε. You ought to reverse the order of your proceedings. You should first endeavour to strengthen the staple, and refine the texture of your workmen's souls, to imbue them with true wisdom, to tinge them with liberal learning: afterwards I have no objection

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objection that you should make your gown-pieces as cheap, your stockings as fine, and your fancy-goods as fanciful as you will.'

For these reasons, we do not agree that the animating principle of modern science has been the sole search for manufacturing truth; that the mind of Davy, for instance, though he invented the safety-lamp, was a sheer utensil of Apothecaries' Hall, or the dye-house; nor, secondly, that our mechanical improvements are at all exclusively owing to that philosophy—rather we should say to practical energy stimulated by wants which are unknown to milder climates; lastly, we are well assured, that a system which, whether in morals or science, aims exclusively at the mere removal of pain and production of pleasure, call it even Baconism, has no right whatever to proclaim itself the one and all-sufficient philosophy. Else, if you could only clothe your people warmly, and feed them well, it would be indifferent whether that people were Biscayans or Neapolitans, Belgians or Prussians.

Nor do we regard the old Socratic philosophy as perfect either. That doctrine did, so far as in it lay, purify for centuries the mind of Greece and of Rome. After it had suffered eclipse, it shone forth anew in the vale of Arno, and Lorenzo with his fellows, while they celebrated in that chamber of his Sub-Appenine villa, which you may still tread, the birth-day of Plato, drank also of his ennobling spirit. The voice of Socrates has been awakened once more in our own days by Schleiermacher, and has again put to shame the other spirit which denies that in the human heart there is anything holy. Still, though that doctrine is great, it is not all. As an ethical system, it looks more to moral beauty than to right action: as a general philosophy, it is engaged too much in the construction of the intellectual world, takes too little concern for the exigencies of the material one. The Baconian philosophy, on the other hand, giving it all it lays claim to—steam-engines, rail-roads, air-balloons, too, if it will have them, or thinks it can so make up the deficit of human happiness even—not only neglects the nobility and therefore beauty of man's mind, to which it prefers the mastery over matter, but, as a necessary consequence, it is unable to produce even true material beauty. Neither Grecian porticoes, nor Gothic aisles, belong to it. In architecture it is a mere copyist. Neither Phidias nor Raphael own it. Ever since it has prevailed, painting and sculpture have been, with few exceptions, feeble, tawdry, theatrical. If the school of Dusseldorf be to give us good pictures, their lessons are drawn from a very different source, the age when Art was the handmaid of Faith and of Love—we mean, of course, of the celestial Eros. But it would require a separate article to trace downwards the decline of Art to its present debased condition of a mere slave to pleasure; and

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it would need another to show how our notion of Education has dwindled from the right formation of the whole man, to the introduction of mere passive notions of outward things—*useful knowledge*, as it is called—into his brain. In each of these departments, too, we see the dawn above our horizon, not proceeding from any of the new lights, but from the same centre of moral day which has before warmed and vivified our race.

We will, therefore, here close our vindication of a great man, or rather of two—Master and Scholar,—they were 'lovely and pleasant in their lives, and in their deaths let them not be divided;'—to whom we believe that race is deeply indebted, and whose reputation we know has been most unjustly assailed. But if there be one among us distinguished for commanding eloquence, not less distinguished for a philosophic spirit from which that eloquence receives its substance, who has been misled to think that he could not enough raise Bacon, unless he in the same degree lowered Plato—with sincere respect for his high talents, but with not less surprise at the partial use he of all men has made of them—we would venture respectfully to ask him whether the conduct of Socrates before his judges, compared with that of Bacon on the very seat of justice, do not lead him to suspect his own comparative estimate of the two philosophies which the men founded? The contrast would press too hardly on our illustrious though fallen countryman that we should seek to pursue it. Next, seeing that he is dazzled by the triumphant progress of our age and country in the construction of all sorts of engines, we would lay before him, for his consideration, this saying of his own Lord Verulam:—'In the youth of a state, arms do flourish; in the middle age of a state, learning; and then both of them together for a time: in the *declining* age of a state, *mechanical* arts and *merchandise*.' To the same purport we would further cite the earliest and noblest of orations, ascribed by Thucydides to one who, according to Aristophanes, like Mr. Macaulay himself, could 'lighten, and thunder, and stir up all Greece,' and would ask his attention to these words, supposed to be addressed by Pericles to his fellow-citizens during the public obsequies of those who had been slain in the last campaign:—'Look at our temples'—(they are thus paraphrased by Dr. Arnold),—'and the statues which embellish them; go down to Piræus, observe the long walls; visit the arsenals, and the docks of our three hundred ships; frequent our theatres, and appreciate the surpassing excellence of our poets, and the taste and splendour of our scenic representations; walk through the markets, observe them filled with the productions of every part of the world:—So learn'—concludes Dr. Arnold—'to know and to value the fruits of civilisation, the child of commerce and liberty.' So, indeed, concludes Dr. Arnold,

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Arnold, in the very spirit of modern shallowness; and if these had been the words of Pericles, we should have quoted him to little purpose: but so did not Pericles speak, or Thucydides write. Here are the original words:—'And when the daily practical power of your city, with which you are enamoured, appears to you vast, remember'—not the fruits of liberty and commerce,—'but remember well, that men courageous, and having *a knowledge of their duties*, and endued with *a sense of shame in their actions, brought about these things*.' Lastly, if, fortified by this kindred authority, we may assume, towards the late Member for Leeds, at least as a statesman—(we care little for the Benthamites)—that even the mechanical achievements he so highly prizes are not to be made by a country without a sense of duty and manly shame seated in the breasts of her sons—we would invite him, as a philosopher, to come with us one step further, and to consider whether that sense of duty and shame have not a rightful claim to be nurtured, not only for its fruit, but simply for its own sake. We might, indeed, have taken lower ground, and have asked him, on his particular statement, whether his aged invalid might not be more soothed by filial tenderness than by his own proposed solaces of an easy chair, and chicken panada, and even the tales of the Queen of Navarre? but we are unwilling to treat him with even the semblance of disrespect. Again we would beg him to consider whether man can attain these or the other moral qualities, if they are to be his object and aim, by his single act of volition, and not rather by entering into some community possessing an inherited moral spirit, which must raise and strengthen and sustain his own individual feebleness. Afterwards we would earnestly inquire of him whether, if there be that Highest Good on earth, that union of virtue and happiness which philosophy, as he knows, so long sought, and as he thinks sought so vainly, it must not be looked for in the communion with wise and good members of some worthy fellowship, animated by such an inherited spirit and bound by the laws of common duty, affection, and reverence? Lastly, we would solemnly put to him, whether, if this corporate spirit, being thus at once the indispensable condition of moral goodness and also of the highest conceivable happiness, has been left, as Professor Sewell says, in a land, in its laws and its institutions, it be not the most commanding duty of that land's children, statesmen—teachers—or private men, to deliver on this light of the soul,—as the Athenian youth passed the sacred torch unextinguished from hand to hand in their nightly festivals,—so on our part to carry onward the pure and steady glow of this national spirit, heightened if possible and brightened, but at least unimpaired and unsullied, from generation to generation, and, so long as England lasts, from age to age?

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ART. X.—1. *Reflections on the Ballot.* pp. 39. London. 1831.
2. *The Ballot discussed, in a Letter to the Earl of Durham.* By Lord Nugent. 1835.
3. *Is the Ballot a Mistake?* By S. C. Denison, Esq., Inner Temple. pp. 116. London. 1838.
4. *A Letter to George Grote, Esq., M.P., on the Ballot.* By the Rev. Alex. Crombie, LL.D. pp. 33. London. 1838.
5. *Vote by Ballot. Speeches of George Grote, Esq., M.P., in the House of Commons on the 8th March, 1837, and 16th Feb.* 1838. pp. 16. London. 1837-8.
6. *The Speech of the Right Honourable Sir Robert Peel, Bart., in the House of Commons, upon Mr. Grote's motion for the Ballot.* pp. 30. London. 1838.

THE word CONSTITUTION was originally compounded of—and, up to the reform frenzy, had continued to convey—ideas of *stability* and *union*—of a frame of political society so combined and consolidated as to be capable of resisting the various and antagonist dangers to which all mixed governments are, from human passions and natural accidents, occasionally but inevitably liable. It has of late become the pass-word of *innovation* and *discord*.

We have been over-persuaded to *reform* the *Constitution* by tearing away from it the original elements of its growth, its strength and its self-preservation. We have been menaced—and shall be again—with a further *reform* of the *Constitution* by abolishing the Crown and the Peerage, of which it was born, and without which it could no more exist than the human body without a head and a heart;—and, *now*, we are urged to protect and invigorate the *Constitution* by the introduction of the ballot—a new ingredient, not only unknown to every tradition and theory of British Government, but at direct variance with all the habits and feelings of our political existence—an entire and radical innovation on our whole social and political system!

So accordant with the general feeling of human nature, and so suitable to the peculiar temper of the British people, is the idea of stability and security implied in the word *constitution*, that the *form* continues to be reverenced even while we are injuring the *substance*; and all these innovations, past, present, and approaching, have been, and are still attempted to be, made palatable to public opinion, by the pretence that they are calculated to strengthen that CONSTITUTION, which, on the contrary, every one of these organic changes obviously tends more or less rapidly to impair, and, finally, to destroy.

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Let us then, at length, understand what we are about. In the name of reason and in the spirit of honesty, we adjure our antagonists to appear in their proper characters, and to open their real designs. If they want *new* institutions—if they are planning *unprecedented* innovations—if they hope to transform *Old England* into an *experimental Utopia,* let them say so—and let not a people which calls itself great and expects to be honoured amongst nations, exhibit the degrading spectacle of being, on the one side such hopeless idiots, and on the other such hypocritical knaves, as to be tearing each other to pieces on *false pretences,* and in a cause, which its advocates are ashamed to avow, and which its adversaries seem almost afraid to contemplate.

Toto certandum est de corpore regni:—the question, in whatever variety of shapes it may be presented, is one and indivisible—Shall we adhere to the old monarchical Constitution of England? Yes, or no?

That constitution may have become antiquated, and unsuitable to the wants and wishes of a more enlightened age—the Crown and the Peerage may be the anomalous and onerous reliques of an obsolete feudality—a House of Commons, founded not on numbers alone, but on intelligence and property also, may be a usurpation of the natural rights of man—it may be expedient and rational to sweep them all away, and (as we are building up a new senate-house) to build also a new constitution, on new foundations, to match our other novelties:—But if this be the object, let it be avowed—let the Revolutionists appear under their real colours: they are men—they are Englishmen: they may, however mistaken in their views, be men of character and conscience; but, being so, they should disdain to make their advances in an insidious disguise and under a fraudulent flag, fit only for pirates or traitors. Let them assail the citadel if they will—but men of heart and of honour should not try to obtain surreptitious admission by wearing the colours of the garrison, and professing to come for the defence of the place which they really desire to destroy.

We urge this consideration—important as it is at every new step we are every day pressed to take—as more particularly applicable to the question of *ballot.* No rational man can pretend that it, or any trace of it, exists in our constitution; and nothing but the most shameless bad faith can affect to give it the colour of *restoration* or *reform.* It is an absolute novelty—and a novelty of such vital consequences, that we hesitate not to say that it would effect the total abrogation of our *ancient* constitution and the establishment of an entirely new one—better or worse, we are not *now* inquiring—but a *new one!*

It has been argued that the effect of the introduction of this new

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new principle into our system need not necessarily be so extensive—that it is meant to operate for one distinct purpose only—that it might be easily and beneficially amalgamated with our parliamentary elections, without any ulterior consequences. We really cannot hear such an argument without wonder something akin to contempt—particularly from the lips of those who talk so earnestly about public morality; of the necessity of an intimate and open connexion between the constituency and the member; and who are daily employed in exacting, and we are sorry to say successfully exacting, for the *representative* parts of our system, so predominant and absorbing an influence.

The election of the members of the legislature has become in modern times the main-spring of our whole system—the prototype of all our habits—the foundation of all legal authority. It is the root of the tree of which all our other institutions, of every class and kind, are merely branches; and is it possible to imagine that a canker in the electoral tap-root shall not be felt in every leaf and fibre which it generates and feeds? If the ballot be good in the most important matters, why not in all? And, whether good or bad, if admitted to the highest functions, how can it be excluded from the inferior? If the House of Commons be chosen by ballot, all its measures and acts will, at once, become virtually dependent on ballot; and in the process of time and of assimilation, every other function, whether of state policy or of local interest, would be made to depend on ballot also. We are not now discussing whether that might or might not be an improvement: we are at present only showing that, once admitted, it must pervade our whole system, and—

'Like Aaron's rod, would swallow all the rest.'

Like every other device which gives to masses of mankind irresponsible power, it would extend itself rapidly and irresistibly; and not merely absorb every species of electoral process, but would invade matters where election had never before intruded. *County* magistrates would be balloted for as well as *city* magistrates—and why not?—judges as well as vestrymen—parish priests as well as parish constables—and public life of all classes and degrees would become one vast and mysterious maze, in which every man's office, and, consequently, his livelihood and his character, would depend on the ever-varying caprice and arbitrary juggle of the balloting-box. We read with wonder and horror of the *Secret Tribunals* of Germany and Spain, which held the lives and honour of men in their invisible thrall. Will not the ballot, if it answers the promises of its promoters, be a secret tribunal—where men will be condemned or acquitted, by they know not whom, of they know not what—without seeing an accuser,

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ouser, without hearing a charge, and, consequently, without having an opportunity of defence? Will not public men be at the mercy of a whisper, which may not even reach their ears till the mischief is done? All these suppositions may seem very monstrous; but those who think soberly and observe closely the workings of human institutions and the progress of popular encroachment, will see that, after the first step, the consequences are, more or less remotely, inevitable.

Let us recollect what that intelligent and candid advocate of democracy, M. de Tocqueville, confesses as to the extension of the popular power of suffrage: it applies forcibly to the proposition for the ballot, as well as to several minor schemes, which are at this moment afloat amongst us for popularising still further our elective franchise:—

'When a nation modifies the elective qualification, it may easily be foreseen that sooner or later that qualification will be entirely abolished. There is no more invariable rule in the history of society: the further electoral rights are extended, the more is felt the need of extending them; for *after each concession the strength of the democracy increases, and its demands increase with its strength.* The ambition of those who are below the appointed rate' [or outside the limited pale] 'is irritated in exact proportion to the number of those who are above it. The exception at last becomes the rule, concession follows concession, and *no stop can be made short of universal suffrage.*'—*Democracy in America*, v. i. p. 67.

And, *à multò fortiori*, if the first and greatest change be conceded, 'no stop can be made short of universal ballot.'

Publicity has hitherto been the main-spring of our civil polity—from Alfred down to the present day all our institutions are founded on public choice and public responsibility—*mais nous aurons changé tout cela.* The appeals now so loudly made to *public* opinion must be hereafter slyly addressed to *secret* opinion; those who at present seek the approbation of their fellows by open and face-of-day proceedings will, if they look for such a distinction at all, have to seek it in the intrigues and intricacies of the returning-officer's conjuring box;—nay, the great and sacred idol of the innovators—the revered PUBLIC himself—will have to change his name; he will become the GREAT UNKNOWN! All this may be very fine and very feasible, but we say it is utterly alien to the British constitution.

One gentleman in the debate on Mr. Grote's motion, and Lord Nugent in a pamphlet, have had common sense enough to see the force of this objection, and to feel the urgency of getting rid of it; and this these sharp-sighted have attempted by the marvellous ingenuity of discovering in our ancient institutions the *principle*

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principle of the ballot! And where, in the name of wonder, do you think they have found it?—in the trial by *jury!* 'where,' say they, 'the jury shut up in their box afforded a specimen of secret voting.' Prodigious! Why, the function of a jury happens to be of all human institutions that which pushes to its extreme the very opposite of the principle of ballot, for it forces every juror—whatever may be his private doubts or scruples—to concur in the full responsibility of the verdict. This—however well it has practically worked—has, we confess, always appeared to be, in theory, an extreme application of our great constitutional principle of public responsibility; it was reserved for, we believe, the member for Sheffield and the abortive candidate* for Marylebone to find any similarity between an *outspoken* unanimous *verdict* and the irresponsible secrecy of a vote by ballot!

We conclude, therefore, on this preliminary point, by expressing our conviction that there is no *thinking* advocate for the ballot, who does not adopt it as a plausible mean towards an unavowable end—namely, the destruction of our mixed monarchy, and the substitution of some form or fashion of *Republic*.

This, indeed, some of them seem half-inclined to confess—but not frankly, nor manfully:—they are still afraid (and justly, we hope) that their time is not yet come—that any distinct avowal of their ultimate projects would open the eyes of many well-intentioned dupes, and leave them, on the *naked* question, in a miserable minority. The majority even of the reformers is not yet prepared for the avowed annihilation of the *Constitution*.

We must, therefore—though we admit it to be a deviation from political logic—a kind of *skiomachia*—proceed to examine the question on the delusive pretences which its advocates think it necessary to assume, and to consider it in reference to its alleged beneficial applicability to our *present system*.

First, then—what is the evil to be remedied? A very great one, we admit:—material and moral corruption in the election of Members of Parliament;—or, in plainer terms—BRIBERY and INTIMIDATION.

If we could assure ourselves—nay, if we could arrive at a rational hope—that the ballot would effectually remove, or even

* Mr. Denison's at once lively and learned essay—*Is the Ballot a mistake?* demolishes Lord Nugent so completely, that we are spared the trouble of taking any further notice of his lordship's pamphlet—which, however, we cannot but do him the kindness of believing he could only have published as an election device, *ad captandum vulgus*:—but what a *vulgus* must he have thought the electors of Marylebone, if he hoped to catch them by such thin sophistries! His Lordship's blunders about *Grand juries* and *Coroner's inquests* are still more absurd; but they are really not worth exposing—they expose themselves!

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essentially tend to remedy those evils, we should be disposed to bear with a vast deal of counterbalancing disadvantage; and equally sure we are, that, if the present advocates of the measure anticipated any such results, they would be its most strenuous opponents. So that, if the proposition had any semblage of truth, the *democratic* and *aristocratic* parties—now for and against it—would be speedily found to change sides.

The aristocratic influence in this country is local, natural, stationary,—it is founded on property, on rank, on neighbourhood—and can, generally speaking, be put into peril only by *extrinsic* disturbances—by a stranger, for instance, who comes with a sudden rush of money to overwhelm the slower influences of permanent property, or with an appeal to popular passions which may intimidate and overpower the soberer connexions of habitual intercourse. Even under the Reform Bill—which was managed to give such a baneful superiority to the ultra-popular party—we believe that, if corruption and intimidation could have been effectually excluded from the last election, of the two hundred gentlemen who voted for the ballot a very considerable proportion would not have found their way into parliament; and when *they* advocate the ballot, they must look to a result altogether different from the suppression of bribery and intimidation. We have no wish to argue this question on personal considerations, but Mr. Grote, in his speech of the 15th February, made so many invidious allusions to what he called '*Tory* practices,' that we shall be forgiven for asking him where he would now be if the City of London Election Committee had not negatived the agency of Mr. J. Croucher?—*negatived the* AGENCY *of* Mr. J. CROUCHER!—a fact, we should have thought, as certain, as notorious, and as indisputable as the burning of the Royal Exchange. By that wonderful decision Mr. Grote is continued in a condition to inveigh against Tory corruption, and to propose to renovate our constitution by the purity of the ballot.

We are far from meaning to say that bribery and intimidation are *exclusively* employed by the democratic party—of course, in any anxious struggle, assailants will be met with their own weapons—but we do assert, and we are convinced that no one who has attentively considered the progress of our electoral system will deny, that these modes of proceeding were originally, and are still most frequently, employed *against* those natural and permanent interests, which are usually called *aristocratical*—an epithet to which, in its proper meaning, we have no objection.

It is not, therefore, from bribery and intimidation *in general* that the democratic party is desirous of protecting itself—but from that particular species of bribery and intimidation which may be

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be distinctively called the *influence* of rank and property, and which it possesses, generally speaking, in an inferior degree to its adversaries. If a landlord indulges a tenant, and a customer favours a tradesman, that is *corruption;* if a landlord or a customer will not continue to favour a tenant or a tradesman who has disobliged him, that is *intimidation:* and it is against these two very limited, and, comparatively, very insignificant species of corruption and intimidation that the ballot is avowedly directed, and not *at all* against the popular and wide-spread offences of actual *bribery* and flagrant *riot.*

This is the real state of the question. Now, we think, we can show that the ballot—putting aside the insuperable difficulty we have already noticed, of its being utterly alien to our Constitution—would fail egregiously in producing the expected results; and that, to whatever extent it might succeed, that success would be essentially injurious to electoral probity, to public morals, and to national prosperity. In short, that the ballot would not do what it promises; and that, if it did, it would, on a fair balance of its effects, do a great deal more harm than good. We shall consider the last member of the proposition first, *viz.*—that the destruction of *influence* by the means of secret voting would, if practicable, be injurious.

We begin by admitting—contrary to both reason and experience, but for argument's sake—that the ballot would ensure absolute secrecy and consequent *independence.* But are there not some other electoral qualities quite as important as independence—for instance, the *responsibility* under which every public trust should be exercised? and it will not we suppose, be seriously denied that the vote of an elector on the hustings is just as much a public trust as the vote of a Member in the House. Why should the candidate be obliged, at the nomination, to enter into a profession of his principles and intentions; and why should the voter, at the election, be forbidden the reciprocal expression of his? The friends of the ballot are the very people most forward to require from the candidate the illegal obligation of a *pledge,* yet they shrink from the responsibility of giving in their own persons an open opinion on the declaration which they thus extort. But, moreover—

The elector of to-day may be a candidate to-morrow for civic or parochial office, perhaps even for parliament. How shall his fellow-citizens know whether he be worthy of their confidence, if all his former political life be buried in the silent secrecy of the ballot-box? Such an *independent* would indeed realise the old jest of being a man on whom *no one could depend.* But again:

As long as universal suffrage shall not be established, nay—as long

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long as the fairer half of the creation shall be excluded from voting—every elector is himself a kind of representative; he represents the interests of his family, of his servants, of his unfranchised neighbours; in short, of the great majority of the people. The constituency of our empire is reckoned at about 800,000, out of 24,000,000. What are they, but the virtual representatives of the rest of the population—who have a thousand modes of exercising a social influence over them—and from whom they have no right to conceal the way in which they do a duty which is intrusted to them for the common good? A baker or a currier, exercising his franchise at a time when some questions relative to his particular calling are afloat, becomes the virtual representative of his customers, and even of his journeymen and apprentices; and, in short, of all those who are directly or indirectly interested in the trade. He owes to the public the weight of his opinion, and to his neighbours the responsibility of it.

We have alluded to the exclusion of women from political rights—but they are but shallow politicians and worse moralists who, in considering human institutions, forget—because forsooth women have no legal political character—the natural effects of their influence over the opinions and conduct of man. Miss Martineau, like a purblind theorist as she is, insists that females should vote at elections. She would give them a nominal right that would deprive them of their real power. Nothing could give any colour of common sense to so unnatural, and,—to the women themselves,—so injurious a proposition, but the more unnatural and more injurious scheme of excluding them, by penal provisions of secrecy, from exercising over the other sex the legitimate influence with which God and Nature have more than compensated their exclusion from the masculine duties of either public or private life.

These are no fanciful theories; they are, on the contrary, the only real basis on which representative government can stand, short of the absolute *universality* of voting; and with this, the secrecy of the ballot is so utterly incompatible, that we are convinced that, as soon as the mass of the people should find themselves excluded—not merely as at present from voting, but—from so much as knowing how their friends and neighbours voted—we should be assailed by an irresistible appeal for universal suffrage, including, perhaps, *female emancipation*.

So far for the political effects of secrecy. Let us now look at its moral effect. Imagine a little country town, in which 400 or 500 of the principal inhabitants have each individually a *secret!*—a secret of state!—nay, graver still, a secret of personal and pecuniary interest—one on which (*ex hypothesi*) may depend his character

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racter and his livelihood; which, of course, no man will dare to reveal even to the wife of his bosom, lest she should tell the neighbour's wife!

We are glad to produce the high moral authority, as well as the acute reasoning, of Dr. Crombie on such points as these.

'The ballot-box may not betray the secret, but it requires no common fortitude to prevent the elector from betraying himself. Assailed when he meets his neighbours with interrogations, taunted with hypocrisy,—charged with shuffling, branded with cowardice, and loaded with suspicion, it would be fortunate indeed [*miraculous!*] if going through his ordeal day after day and night after night nothing should escape which might betray the secret.'—*Crombie's Letter*, p. 6.

Every look of every *secret-bearer* must be calculated to baffle curiosity—every word weighed to defeat suspicion. He must never forget himself for a moment—it will behove him to ponder well with whom he may safely shake hands—still more momentous will it be to accept an invitation to dinner, or even tea; but as to meeting his neighbours in the promiscuous fellowship of the tavern or the dance—no friend to the new constitution—no patriot who reveres the solemn duties and legal obligations of the regenerating system of ballot—will venture on such a perilous indiscretion! Such a law, and its consequences, would be fit only for a farce: it hardly justifies mention, and does not deserve discussion; and we can only recommend to our modern legislators the judicious observation of Cicero:—'*Legem bonam à malâ, nullâ aliâ nisi naturali normâ dividere possumus.*' It is our consolation to think that not even a reformed House of Commons could be brought to enact such *unnatural* laws; and that, even if they should, it would be found practically impossible to debase the human intellect into a system of selfishness, hypocrisy, and misery, to which even slavery were preferable!

But let us indulge the reveries of these ballot-advocates a step farther, and grant that they may be able to reduce every man's electoral influence to his own secret and individual vote. Here, again, we say that such individual independence would be purchased at a ruinous price. It comes to this:—that Mr. Coke, with 50,000*l.* a-year in land—that Sir Richard Arkwright, the employer and benefactor of thousands of families—that such men as Mr. Burke, the sublimest political intellect—or Mr. Canning, one of the most brilliant orators, that the modern world has seen,—should be, all and each, of no more weight in the electoral system than so many forty-shilling freeholders or ten-pound pot-wallopers. 'The ballot,' says Mr. Grote, 'will leave the right moral influence of property exactly where it found it.' How, in the name of common sense, can that be, if it has any effect at all?

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Mr. Grote is a banker—wealthy and intelligent—his porter is probably a liveryman, poor and (as to public affairs, at least) ignorant; if these two men have really secret and independent votes, has not the porter exactly the same weight, according to the theory, as the banker? But he will have a great deal more in practice. Mr. Grote will not endeavour to evade the law by habitual intercourse with the voters. The comparatively small class of electors with whom he lives will be educated men, who have their own opinions already formed, and who, whether of the same party as Mr. Grote or the contrary, certainly will not be his followers—he will go to the ballot-box *alone*. His porter, on the other hand, associates with a numerous class of his fellows, who have no original political principles—no personal knowledge of individual statesmen—no acquaintance with enlarged public interests:—they receive one another's impressions, prejudices, and errors:—every tap-room has its dictator; the porter is perhaps president of his club; he will lead a dozen or two of followers to the poll, and outnumber probably all the bankers in Lombard-street. This practical result will be strongly exemplified by an anecdote which we have read in one of the recent publications on America—one, by the way, which advocates the ballot. An American judge (we think Chief Justice Marshall, one of the most eminent men of the United States) had of course *a* vote for all the magistracies of his country, but he had no more;—*he* never could think of attempting to obtain any illegal influence; so he is a political unit—*one*. But he happens to have a groom—the groom has a vote as well as the judge, and it was very rationally asked, could that be a good system which allotted the identically same political weight to Chief Justice Marshall and to Tom his groom? But this strange anomaly, as we think it, was not all. The groom had his own circle of acquaintances and friends: he treated them, we presume, now and then from the judge's cellar; he no doubt bought oats for the judge's horses from one, hay from another; he chose the judge's saddler, the judge's farrier—these were, of course, men of kindred, or at least of grateful feelings; and Tom, we are told, went to the poll with *sixteen followers*, influenced, we can have no doubt, by the judge's expenditure, to vote, perhaps, against the judge's opinion. We need not waste time in showing that such a practice is repugnant to reason, and that, of anything like *our* social system, it would be utterly destructive.

Neither need we attempt to prove that property ought to be represented; because Mr. Grote himself admits it, and even says that he would maintain it in exactly its present moral influence; though he has not shown us by what magic this is to be accomplished, when all votes are to be *secret* and *equal;* nor, if it were

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were to be so, of what use his ballot is, *then*, to be. If the ballot is to have any effect, it must be on the theory of annihilating the influence of property and destroying what Mr. Grote professes to preserve.

But we go farther—we say that there is a great moral and social advantage in the political intercourse and mutual dependence between the richer and the poorer classes of electors—it does inestimable good to both—it tends to mix the gentry with the wants and wishes of the yeomanry and commonalty, and conciliates the personal feelings of the inferior, by habitual condescension on the part of the superior. The effect of this reciprocity on our state of society has been immense; and though, like all other human circumstances, it may have some alloy, its general operation has been highly advantageous to all classes—to the higher quite as much as to the lower—and one of the main causes of that harmonious combination of otherwise conflicting elements, which is the peculiar feature of our social and political system.

That *alloy* is what it is now the fashion to call *intimidation*—from the fear which the tenant or tradesman may have of displeasing a landlord or customer, and which may induce him to give his vote against his own convictions.

On this point we beg leave to offer a few observations.

First—it is only a reproduction of the former question—is property to have power or not? Mr. Grote says, 'yes.' Then we again ask how is that power to be exercised but by some such kind of influence? If the tenant should happen—while indulging his own political feeling—to vote on the same side as his landlord—that, of course, would not be called the *influence* of the landlord;—it is only when they should differ that the influence of property could come into play;—if it did not come into play on such occasions, it would not operate at all. If, therefore, Mr. Grote admits that property is to have any influence, he must admit that it may, nay, must be exercised, to overcome personal objections:—The proposition can have no other meaning, and, as Mr. Grote advances the premises, he must abide by the inevitable conclusion. But—

Secondly, is there in principle any serious objection to this species of influence? It is called 'a violence to the conscience of the individual elector.' Occasionally it may be so—if indeed we can venture to apply the term *conscience* to a political predilection: but even in those rare cases—as in all higher questions of conscience—the merit is proportioned to the difficulty: if a man could be assured that his temporal advantages would be equally secure

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secure whether he obeyed or betrayed his conscience, he would have little merit in obedience; and the political conscience which had nothing to fear would, in many cases, we apprehend, degenerate into caprice. But—

Thirdly, taking the matter in a mere practical view, will it be denied, that in nine cases out of ten, the elector will act wisely and honestly in permitting himself to be influenced by the advice of his landlord? their interests are—though in different proportions—substantially the same—the joint welfare of the tenant and of the estate is in the highest degree the welfare of the landlord, who, from his education, his opportunities, his larger views, as well as his larger stake, must be, in the great majority of cases, the best judge and the safest guide; and the influence of property in such circumstances is the influence of reason and experience, guiding the less enlightened to their common and inseparable advantage. We have before asked whether there may not be other qualities as necessary for the due exercise of the elective franchise, as *independence*—we have already suggested *responsibility*—we now add *intelligence*. Is it not at least as expedient that a man should vote *rightly* as that he should vote *freely*? Here again we are glad to have the weighty authority of Dr. Crombie, a Whig of the old school, but a moralist of the true one. He asks Mr. Grote—

'Can you name any security which the ballot would furnish that every voter should give his suffrage fairly,—that he would support that candidate and him only whom he deemed most worthy? To me it appears that there would be no such security, and that the ballot, which would enable an elector to vote *freely* would equally enable him to vote *unfairly*.——The elector you say would be *free*—yes, free to think one way and act another;—*free* to profess friendship and gratify enmity; free to advocate openly certain political opinions and sacrifice them to feelings of personal friendship or personal hostility; free to consult his own selfish purposes while loud in his praises of conscientious political integrity.——The ballot is admirably adapted to make men rogues, but it never can make conscientious men.'—*Letter*, pp. 7, 9, 11.

Mr. Grote's proposition, and, indeed, all his speeches, imply that because suffrages are equal, intellects and acquirements must be equal also. Yet we doubt not that Mr. Grote will take the advice of his coachman rather than his porter in buying a horse, and of one of his partners, rather than of Sir William Molesworth, as to discounting a bill. Are politics the only species of knowledge in which a man requires neither lessons nor advice—the only kind of business which he is allowed to do without responsibility?—and are the science of government and the prosperity of nations the only subjects on which ignorance and

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and prejudice are to have the same unquestioned and unquestionable authority as experience and abilities?

We suppose some sort of confabular communication would be tolerated, some species of conversational instruction admitted—but if so, where will Mr. Grote draw his practical line between *argument* and *influence*—between the weight of a landlord's reasoning and of his authority? And, then, if any such kind of communication be permitted, if men are so much as allowed to argue points of politics with one another, how is the required secrecy to be maintained? Again, we say the whole proposition is an impracticable absurdity. And, finally,

If property has not this kind of influence, it can have not only none at all, but not even *security*. Represented only by the individual votes of the comparatively few who possess it in any enviable degree, and assailed by that vast majority whose scanty share of it will exhibit such an inordinate disproportion to the equality of their electoral rights, property itself, and with it the whole frame of society, will be in danger. Candidates who now bid for popular favour by advocating the ballot, will then be driven by the irresistible march of encroachment to propose universal suffrage and an agrarian distribution of property. Mr. Grote's porter and the porter's club will look with eyes of active desire on Mr. Grote's strong-box—his farmers in the country will think that, as the electoral franchise—the highest trust and dignity of social man—is equal in all men, so should be the inferior accident of property: and we really cannot assist Mr. Grote with any sufficient argument against these strict deductions from his own premises; but even argument, if we could supply one, would be of no avail; for the ballot-box has no ears!

We are told, in contradiction to these apprehensions, that the ballot existed in the polished and prosperous states of Athens and Rome, and is now practised in the highly intellectual civilisation of France and America, without producing any such insecurity as to property as we apprehend. Now, it might be, perhaps, enough to say, that our condition is so totally different from those nations, that the precedents, even if otherwise in point, could be of no great practical value; but as we wish to lay before our readers this important case in all its bearings, we shall show, in a few words, either the inapplicability of each of these examples, or the remarkable manner in which they contradict the object for which they are quoted.

As to Athens, the learned Dr. Bowring and others, who have referred to that State, appear to us to have made a sad blunder, in confounding *lot* and *ballot*, two things as different—nay, as opposite

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opposite—as *chance* and *choice*. Election by ballot does not seem to have existed at Athens. One class of the Athenian magistrates were openly chosen by show of hands, and were thence called Χειροτονητοι: the other class, including their senate or council of five hundred, were elected by *lot*—mere chance—and thence named Κληρωτοι.* But the *ballot* seems to have been reserved altogether for what may be called *judicial* occasions,† and never employed, that we have read of, in *elections;* but the practical working of the Athenian government is so obscurely revealed to us, and the state of society is so obviously dissimilar to ours, that, even if they had employed the ballot in all their proceedings, we should no more think it worthy of serious imitation in our case, than we should their other preliminary form (καθαρμα) for securing the *purity of election*—by the killing a certain number of young pigs‡ on the hustings—just as we read the bribery act. We earnestly recommend to the consideration of the learned advocates of the Athenian precedents the additional security afforded by a due effusion of *pigs' blood.*

The Roman example, however, is the reverse of ludicrous; it is awful: and we only wonder how any advocate for the ballot; could venture to refer to so condemnatory a precedent.

The Romans indeed employed the ballot, but with an effect which—particularly in the point we are now discussing—is exceedingly striking, and it may be exhibited in a single sentence. In the year U. C. 614 was introduced the *ballot;* in the year 620, *the Agrarian law!* This simple statement of dates would suffice for our immediate purpose; but our readers will forgive us for adding a curious corroboration: which, though it would be historically of small authority, affords one of those undesigned coincidences that are in fact better proof than elaborate testimony. The question of introducing the ballot into modern governments was so far from the imagination of the writers of the last century, that even those who, like Montesquieu, Vertot, and Bankes, affected to take a philosophical view of Roman History, seem to have regarded the *Lex Gabinia* (U. C. 614) which introduced the ballot as a mere legal detail, and have, therefore, taken no notice of it; but it is very remarkable that, just about the place in which the notice of that law should have been made, we find in all those writers some such observations as the following, which we borrow, for shortness, from Gold-

* Æschines, ap. Potter, b. i. c. xi. See also Mr. Denison's pamphlet and the other authorities cited by him.

† Ib.

‡ Schol. in Aristoph. Acharn. 44. ap. Potter, ib. and Mitchell's Acharnenses, p. 55.

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smith's epitome of Roman History, who himself copies it from Vertot:—

'We have hitherto seen this great Roman people by slow degrees rising into power, and at length reigning without a rival. We have hitherto seen all the virtues which give strength and conquest one by one entering into the state, and forming an unconquerable empire. From *this time forward* we are to survey a different picture, a powerful state giving admission to all the vices that tend to divide, enslave, and at last totally destroy it.'—*Goldsmith's* Rome, c. xviii.

We are tempted also to add the parallel passage of Bankes:—

'The bad times of the republic were at hand: the violence of sedition,—the ungovernable selfishness of faction,—a relaxation of principle,—a dereliction and contempt of old Roman maxims and institutions, and a general depravation of morals, sprang up, and made their great shoot soon after this period.'—*Civil and Constitutional Hist. of Rome*, ii. p. 1.

Neither Bankes, nor Goldsmith, nor Vertot, nor Montesquieu, had any idea of dating this declension of Rome from the *Lex Gabinia;* but the force of the facts which they met in their way was so cogent that it produced these or similar observations, *unconsciously* placed in the very interval between the *Gabinian* and *Agrarian* laws.

We are tempted to add one or two other facts, which we apprehend will spare the advocates of the ballot any further reference to Roman history. The Roman commonwealth had lasted under its kings above 200 years—thence to the introduction of the ballot, nearly 400—from the ballot to the Agrarian insurrections under the Gracchi, *only six* years; and then followed near eighty years of internal troubles, usurpations, civil wars, proscriptions, massacres, and anarchy, which could be, and were, only terminated by the imperial despotism of the Cæsars; so that, *between the ballot and slavery*, the nation did not enjoy in fact one single day of internal tranquillity or rational freedom: and we are therefore not surprised that the best authorities, both ancient and modern, should date this deplorable and rapid dissolution from the era of that fatal and profligate innovation.

There were, no doubt, many other causes—

'The various threads which fill'd the mystic loom,
Where patient vengeance wove the fate of Rome'—

which combined with the ballot in producing this result; or perhaps it would be still more accurate to say that the ballot was, at first, the consequence, and afterwards the instrument, of the spirit of disorganisation—originally the *symptom* of a political disease, which it subsequently helped to spread and to aggravate. So it would be with us. Nothing but a highly diseased state of the public

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public mind can ever inflict the ballot upon us; but, if once inflicted, it will become the ready and powerful instrument of further and general disorganisation.

The author of the calm and judicious pamphlet called *Reflections on the Ballot* (1831) noticed that Cicero, in his second Agrarian oration, had called the ballot '*vindicem libertatis.*' This we suppose directed Mr. Grote's attention to the passage,* and in his speech of 1836 he quoted Cicero as eulogising the ballot as 'the upholder of silent liberty—*Tabella vindex tacitæ libertatis.*' Now we agree with the author of the *Reflections*, that the *obiter dictum* of a popular orator endeavouring to persuade a popular assembly could not be received as the matured opinion of a philosophic statesman—particularly after Cicero's own warning:—*Errat vehementer, si quis in orationibus nostris quas in judiciis habuimus, auctoritates nostras consignatas se habere arbitratur* (pro Cluent. § 50); but, in truth, if Mr. Grote had read the whole passage instead of three words of it, he would have found that it cuts rather the other way; for Cicero is boasting in one of his bursts of egotism, that *he* was *not* elected consul by *ballot*, but by the *more honourable* way of *open suffrage*. After having stated several gratifying circumstances of his election, he goes on to say, '*sed tamen magnificentius et ornatius esse illo nihil potest, quod meis comitiis* NON *tabellam vindicem tacitæ libertatis, sed* VOCEM VIVAM, *præ votis indicem vestrarum erga me voluntatum ac studiorum tulisti.*' (ii. *de Leg. Ag.* § 2.)

Mr. Denison, on this point, observes—

'But Cicero's real opinion is to be found in his dialogue *De Legibus*, where he says to his brother Quintus, *Ego in ista sum sententia quâ te fuisse semper scio—nihil ut fuerit in suffragiis* VOCE *melior*—iii. § 33. Further on, however, § 38, 39, for the sake of conciliation, he proposes a sort of half measure; for on condition of the laws *de ambitu* [corruption] being made effectual, he *allows* the ballot as being a supposed guardian of liberty, (*quasi vindicem libertatis*) but still insists that all

* We presume to think that Mr. Grote was directed to the authority of Cicero by this quotation, because, if he had looked into Cicero himself, he would have found a similar passage in a more authoritative part of his writings—the third dialogue *De Legibus*—together with several other texts which might be wrested into an approbation of the ballot; for it is not without much argumentation and hesitation between his former party professions and his matured judgment that he ends by abandoning the whole principle of the ballot, which he seemed at first inclined to maintain. '*Optimatibus nota, plebi libera suffragia sunto*' is his thesis; of which he admits the real design to be that '*lege nostrâ libertatis* SPECIES *datur, bonorum auctoritas retinetur.*' No wonder that Atticus should say '*Nec, Mehercule, satis intellexi, quid sibi lex, aut quid ista verba vellent!*' but be it remembered, that it is Cicero himself who puts these words into the mouth of Atticus; and the conclusion of the dialogue is, that an effective secret ballot would be the inevitable ruin of any commonwealth: and this ultimate testimony of Cicero—the greatest of philosophical statesman, or, if not the greatest, only equalled by Mr. Burke—is the most valuable, because it was the recantation of the early errors of party.

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who wished might have the liberty of voting openly: which provision would clearly make the whole thing nugatory.'—*Denison*, p. 4.

This is very true; and indeed we may say that both in scholarship and reasoning, Mr. Denison is everywhere an overmatch for the advocates of ballot; and shows, not only by ancient examples, but by reasonings applicable to all times, and particularly to our own day, that the *ballot* would be not merely a *mistake*, but a *death-blow* to all our institutions. If we have not made larger extracts from this able pamphlet, it is only because the form and line of the author's observations, in replying to individual antagonists, did not fall in with the course which we, in reviewing the whole subject as presented in so many different works, have thought it expedient to adopt.

On precedents, however, which are applied to mere political *circumstances* so different as those of Athens, Rome, and England, we set little store either way; but when they relate to the passions and frailties of man—to *human nature*, in short, which was the same in Rome as in London—they may afford a salutary lesson. With this view, we cannot refrain from quoting a passage from Sir Robert Peel's speech, in which the reference so inconsiderately made to the Roman precedent was retorted with a degree of readiness, of historical accuracy, and of classical illustration, of which parliamentary debate affords few examples, and none more cogent and convincing:—

'The example of Rome has been again appealed to, and the honourable gentleman (Mr. Lytton Bulwer) has referred to Gibbon's authority for the purpose of establishing the fact that the ballot was effectual in Roman elections in securing the voter from intimidation and improper influence. The expressions of Gibbon, referred to by the honourable gentleman, in respect to the veteran being freed by the ballot from the controlling influence of his general, point out the particular passage which the honourable gentleman has in view. Now, let us take the whole of that passage, and then judge whether Gibbon can be fairly referred to as an authority in favour of the ballot and its operation upon the state of society and the civil government of Rome. The passage is this:—

'"The tribunes soon established a more specious and popular "maxim, that every citizen has an equal right to enact the laws which "he is bound to obey. Instead of the centuries, they convened the "tribes; and the patricians, after an ineffectual struggle, submitted to "the decrees of an assembly in which their votes were confounded with "those of the meanest plebeians. Yet as long as the tribes successively "passed over narrow bridges and gave their voices aloud, the conduct "of each citizen was exposed to the eyes and ears of his friends and "countrymen. The insolvent debtor consulted the wishes of his creditor, the client would have blushed to oppose the views of his patron,

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"the general was followed by his veterans, and the aspect of a grave "magistrate was a living lesson to the multitude. A new method of "secret ballot abolished the influence of fear and shame, of honour "and interest, and the abuse of freedom accelerated the progress of "anarchy and despotism."

'When next, Sir, the honourable member for the city of Lincoln quotes Gibbon, I hope this will encourage him to give the whole passage, instead of only a portion of it.

'There is a remarkable passage in Pliny, with respect to the practical working of the ballot in Rome. Pliny had admitted, that for some evils in elections, the ballot would probably be a remedy, but he feared that it would introduce evils more aggravated than those which it might correct. In writing afterwards, he says that his apprehensions had been confirmed by the result; and in the course of his observations, he gives this brief but striking description of the voter by ballot:—

'"Poposcit tabellas, stilum accepit, demisit caput, neminem veretur, "se contemnit."

'The reverence for authority was gone, the fear of public opinion was removed, the aspect of a grave magistrate—the living lesson (as Gibbon calls it) to the multitude, ceased to encourage or rebuke; and the voter retired from the ballot, conscious perhaps of the violation of a promise, with the sense of shame in his demeanour, and the feeling of dishonour and degradation in his heart. And be assured that if this feeling be introduced here, if you accustom the voter to the violation of a solemn promise, if you make him believe that a lie told to a landlord is of little comparative consequence, you will dearly purchase the advantage of a secret vote, at the price of promises disregarded, truth habitually violated, the sense of honour destroyed, and self-esteem extinguished.'

This ready recollection of the misquoted authors,—this happy restoration of their real meaning,—this discrimination of the moral from the pedantic authority of history,—and this selection of the points which are applicable to our own case, are admirable evidences of the mode in which classical learning may contribute to form a statesman, and in which the statesman may, in return as it were, bring the delightful studies of his youth to illustrate and even to guide the severer duties of public life.

This short passage of Sir Robert Peel's speech contains the essence of all that can be said concerning the Roman precedent: we at least can add nothing to it; and we now proceed to the 'modern instances.'

The example of France will serve the ballotists as little as that of Rome; but for an opposite reason—(indeed, their whole argument is a tissue of contradictions). In France the ballot is really an *oligarchal* institution, designed we believe, but most assuredly operating, to give the Government of the day a predominant power in the choice of the pretended representatives of the *people*. This will be proved by the following facts and figures. In France the qualification

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qualification for an elector is the payment in *direct taxes* of 200 francs per annum. The relative value and respectability of this qualification can only be judged by its effect: out of its 33,000,000 of inhabitants, France, under this qualification, has never been able to produce 160,000 electors—1 in 206; while in the United Kingdom, 24,000,000 of people give, it is supposed, about 800,000 electors—or 1 in 30: so that, according to the French proportion, *we* should have only 120,000 electors. Now—if the whole electoral power of this empire were exclusively lodged in *the* 120,000 persons who pay the largest share of the direct taxation of the country—we, at least, could raise no objection to the agrarian and democratic danger of such a ballot, though we should still retain all our other objections to it. But the safety of the French system does not—though it well might—rest altogether on this high rate of qualification. There are few, if any, unpaid or, what we should call, independent functionaries in France. Everything, however minute or local, is done by, or under the Government: the consequence is, that there are more dependent placemen scattered over the face of France than there are voters, and the electoral colleges must swarm with them. Such being the instruments *by* which the ballot is worked in France, let us now see the elements *on* which it acts. The French Chamber consists of 459 members only; and of these, owing to the same system of the direct interference of the Government in all the business of the country, it turns out that there are sometimes nearly one-half, and never less than one-third, of the members holding offices under the Crown, —some of them liable to arbitrary dismissal, all susceptible of the gentler influence of advancement—many of fear—all of hope. And in addition to this, be it observed that the members themselves vote by ballot, and frequently exhibit the most unaccountable—and we had almost said disgraceful—contradictions between the professed opinions and the secret votes of the assembly. Are we also to imitate them in this? It would be the natural and necessary completion of the system. If the ballot be desirable to preserve the freedom of local voting, how much more so would it be to secure the integrity, the purity, the independence of the House of Commons which has to decide upon so many various and vital interests of individuals—of the empire—of the world! Has it never been suspected that *corruption* or *intimidation* have influenced *its* members? If the ballot be indeed a remedy for these political evils, why is it not applied to the diseased head as well as to the galled heel? How long would the people endure that their representatives should practice with impunity wholesale dealings in a profitable article, for the mere retailing of which their constituents are to be fined and imprisoned?

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prisoned? Sir Robert Peel remarked on the inconsistency of the leading advocates of the ballot, who had lately proposed and carried measures for giving greater publicity to the votes of *members*, and were now still more zealous to conceal the votes of *electors*. The inconsistency of their proceeding is obvious, but there is no inconsistency in the *designs* of that party;—their object is to create and enforce every possible means of popular influence, and to check that only which belongs to station and property: they adopt, therefore, what they consider the democratic half of the French precedent, and reject the other, which does not happen to suit their purpose.

One word more with regard to France: the main objection which we are now insisting on is the danger to property. That has been already, perhaps, sufficiently disposed of by the fact that the French electors are the 160,000 largest proprietors of the kingdom; but, it must be added, that there is, in France, no room for an other *agrarian* revolution; for it is accomplished: the laws for the distribution of property are already operating an agrarian equality with such rapidity that the most extensive and unfettered ballot could hardly go farther or faster. A *liberal* professor of statistics in France has lately calculated that the territory is already parcelled out among more than 10,000,000 of landed proprietors.* The professor, with every other sensible man in France, is alarmed at this *atomical* division of the soil, as injurious both to prædial and moral cultivation; but it shows a state of society in which landed property, at least, would be in little danger even from universal suffrage.

We think, therefore, that we are entitled to say that the example of France can be no precedent for England; and, we are bound to add, that, if it were, France is not herself in such a state of settled and assured political order as to warrant our entering on an experimental imitation of her institutions.

But the main precedent of the ballotists is the United States

* This statement seems so incredible, and its effect on agriculture and society in France seems so deplorable, that we think it right to give our authority:—

'Diverses circonstances contribuent à rendre la situation actuelle de l'agriculture en France déplorable. Dans le cours d'économie industrielle professé par M. Blanqui avec un talent très remarquable, le savant professeur met avec raison en première ligne le morcellement infini de la propriété foncière. . . . . Voici les faits exposés par ce professeur: On compte en France 10,896,682 propriétaires, et 123,360,338 parcelles. Ce morcellement, que j'ai appelé *atomistique*, est déplorable; il s'oppose aux progrès de l'agriculture; il est la cause de la misère d'un grand nombre de cultivateurs. Ses plus actifs et ses plus puissans promoteurs sont le fisc et les notaires, également intéressés à des mutilations de propriété qui donnent lieu à des actes et à des contrats, à des enregistremens et à une consommation de papier timbré; c'est sur les procès qu'il cause de toutes parts, que s'élève dans nos campagnes une aristocratie nouvelle, celle des gens de loi. Cependant cette déplorable tendance s'accroît tous les jours, et tous les jours nous faisons un pas de plus vers un abîme, vers la ruine.'—*La Presse*, 5 *Fev.* 1838.

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of America, where, however, we must begin by observing that its effect is directly the reverse of the last example proposed to us; for while the ballot in France tends to oligarchy, the ballot in America is carried to the extreme of democracy. We could not, therefore, in reason, admit of *both* these contradictory precedents; and, in fact, we shall show that we can admit of *neither*. We have, we think, annulled the French precedent; let us now see whether that of America, though running the other way, is not equally inapplicable.

In America the ballot has nothing to fight with: all her institutions are already on the lowest democratic level—

'Qui procumbit humi non habet unde cadat.'

There is no Throne, no House of Lords, no legal gradations of society, to pull down; the only possible peril is to individual property—a great one, we admit, and that to which our present observations are chiefly directed; but—as we have already stated in a preceding article of this Number—the United States possess the only possible compensation and corrective of the ballot in the "*safety-valve*" of the western territory. The agrarian spirit is only formidable in limited and close-packed societies, where an indigent majority is brought into immediate and unavoidable contact with accumulated riches. The *Gracchi* of the old States have gradually evaporated their agrarian propensities on Kentucky, Indiana, Illinois, Michigan, and Arkansas; and as these thicken in population, *their* Gracchi will migrate still farther to the westward—and half a world opened to their enterprise is a practical *lex agraria*, which leaves the ballot nothing to do as to the invasion of individual property. There is also, as we showed in the preceding article, the same distributive principle at work in America which is operating in France,—so injuriously in all other respects, but so effectually for the security of landed property,—by leaving no man more than his neighbour. We apprehend, therefore, that we need say no more to prove that ballot, in the unrestricted democracy and the unlimited territory of the United States, is altogether a different element of government from what it would be on the densely-peopled and strictly appropriated soil of monarchical England.

So far we have treated of the ballot on the supposition—for argument's sake—that it could fulfil in practice the professed theory of its advocates, and produce an uninfluenced representation of the secret wishes of the majority of the people. We shall now proceed to show that this theory is a mischievous vision—that it would produce none of the results which are promised—that, on the contrary, it would aggravate all the evils, such as they may be—and that, besides overthrowing our constitution, it would

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would degrade and debase the national character, and probably reduce us to a state of political profligacy and civil anarchy, of which the world has had no example since the last days of the Roman republic, and from which we can imagine no extrication than that in which she took refuge—Despotism.

In proceeding to consider the proposition in its practical applications to our actual condition, we beg leave, for the sake of additional clearness, to recall our reader's attention to the three questions of which the proposition is compounded.

First, that absolute *secrecy* is the *sine quâ non* of the whole plan (*Mr. Grote's Speeches passim*).

Second, that the evils to be cured are two-fold—*corruption* and *intimidation*.

Lastly, that there are two kinds of corruption—*bribery* and *influence*; and two kinds of intimidation—*secret* and *public*.

We have already endeavoured to show that, *abstractedly*, secrecy is a ludicrous impossibility—and that, if possible, it would be immoral and impolitic; but in practice a still more important consideration arises. It would be impolitic,—immoral,—nay, impossible, but it would be the *law*. Can we believe that any but a nation of madmen should gratuitously,—or at best to get rid of some minor inconveniencies,—place all the habits and manners of its people in direct hostility to its legal constitution? —or can we imagine the passing of a fundamental law which never can be enforced? We, at least, cannot imagine by what sanctions that law could be guarded; the *Examiner*, we think, proposes that the elector who had violated secrecy should be subjected to indictment and punishment. Absurd and monstrous as such a proposition seems, it is strictly logical, and we have no doubt that if the ballot be attempted at all, it must be followed up by some such processes. Once make secrecy the law of the land, and you will be driven, in order to maintain your impossible legislation, step by step and by successive failures, into the most extravagant tyranny. As to a ballot of which the secret should be in any way *optional*, it is clear it would be no secret at all: the majority would have no motive to conceal their vote; whilst of those who should desire to conceal it, the very concealment will betray the motive. One tenant has conscientiously voted *with* his landlord—he has no reason for disguising it and of course avows it—another tenant has voted *against* his landlord, and of course takes refuge in silence—but not in secrecy—for his silence is just as intelligible as his neighbour's avowal. For this we see no possible remedy but the *Examiner's* penal statute,—and that would be found not merely tyrannical beyond bearing, but wholly inefficient; ribbons and such other tokens of party might of course be interdicted,

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interdicted—but would your law reach *white hats, plaid waistcoats,* or *blue neckcloths,* if these forms of dress should be employed as the symbols of party? You may punish a man who says 'I balloted for Grote,' but can you punish his crying in the street 'Hurrah for Grote?' or his saying in a room, 'I am delighted with Mr. Grote's success?' Could you prevent a tavern dinner of the *admirers of Mr. Grote's principles?* Can a *nod* or a *wink* be interpreted by a penal statute?—and yet a nod or a wink may be as conclusive as an affidavit. We have been favored by a legal friend with the following report of a case supposed to occur under such a bill as we have mentioned. We insert it because—*ridentem dicere verum quid vetat*—and we are convinced that it gives, in a light form, a most just and intelligible view of what would be the practical result of any statutable attempt to enforce the secrecy of the ballot.

"THE QUEEN *v.* A. B.

For revealing his Vote at the last Election for the City.

Attorney-General [to witness].—Do you know A. B., an elector of the city of London?

Witness.—Yes; that's he at the bar.

Attorney-General.—Had you ever any conversation with him about his vote at the last election?

Witness.—Yes; on the Saturday night after the election, after we had drank three pots of porter each at the 'Devil and the Bag o' Nails,' behind the Mansion House, I asked him how he had voted.

Attorney-General.—Well, and what answer did he make?

Witness.—He said he had voted as I did.

Attorney-General.—How did you vote?

Chief-Justice.—Stop, Mr. Attorney; you are really asking the witness to commit the offence you are prosecuting.

Attorney-General.—Then, my lord, I waive the question; but I submit that I have already proved that the prisoner revealed his vote; for, as the witness must have known which way he himself had voted, he must also, *ex necessitate,* know how the prisoner had voted.

Chief-Justice.—I beg your pardon, Mr. Attorney, but you have not yet proved that the prisoner could have known how the witness had voted, so that what he said may have been mere random talk. You must go a little further.

Attorney-General [to witness].—Did you make any reply when he said that he had voted as you did?

Witness.—I said, 'What, then, you voted for Grote?'

Chief-Justice.—Really, Mr. Attorney, this is very irregular. You are making your own witness subject himself to an indictment.

Attorney-General.—I submit, my lord, that I am quite regular. The witness has a right to state, at his own peril, what passed; but, moreover, this expression, '*What, then, you voted for Grote?*' is not an

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assertion, but a mere *interrogation*. Nothing like such a confession as the witness could be indicted on.

Chief-Justice.—Very well; go on.

Attorney-General.—Now, I ask you, sir, by virtue of the solemn oath you have taken, and in the face of the country which has its eyes fixed on this great cause—I ask you, what answer did he make?

Witness.—He made none at all. (*A laugh.*)

Attorney-General.—What! Did he say nothing?

Witness.—Not a word! (*Renewed laughter.*)

[Here Mr. Croucher, the agent for the prosecution, whispered the learned Counsel.]

Attorney-General.—Ay, ay, *said* nothing; but did he *do* nothing?

Witness.—Yes—he winked his eye.

Attorney-General.—I thought so; *he winked his eye.* Your lordship will take a note of that—*he winked his eye!* What followed his winking his eye?

Witness.—I asked him what he meant by that.

Attorney-General.—And what did he say?

Witness.—Why he laughed, and said that *a wink was as good as a nod to a blind horse!*

Attorney-General.—My lord, that's our case.

Chief-Justice.—Then, gentlemen of the jury, it becomes my duty to observe to you that it is no case at all. The only approach to proof is, that the prisoner said that he had voted as the witness did; but the witness's vote was a secret which the prisoner could not legally know—which you cannot legally know; and therefore these words, so far from amounting to a revelation, seem to me rather to increase the mystery—*ignotum per ignotius*—particularly, gentlemen, when you recollect that the assertion might be false as well as true; and indeed the *legal presumption* would be that it was *false*—because *falsehood* is, under this salutary statute, no offence at all—whereas *truth* would be a transportable misdemeanor; and the law will, therefore, presume innocence—that is, *falsehood*—until guilt—that is, *truth*—shall be incontestably proved. As to the phrase, on which so much stress has been laid, about *a blind horse winking*——

Attorney-General.—I beg your lordship's pardon; but the evidence said, 'a wink *to* a blind horse.' The distinction is of the greatest importance, and will be duly appreciated by such a jury as I now see in the box. [Here the learned gentleman winked at the jury.]—(A laugh.)

Chief-Justice [looking over his note-book].—Mr. Attorney is right. The words, as I find them in my notes, are—'*a wink is as good as a nod to a blind horse;*' but I confess, gentlemen, whichever way you take them, I cannot discover that these words can have any relation to the last general election, nor indeed any meaning whatsoever; so that, I think, you may safely dismiss them from your consideration, and on the whole, gentlemen, I presume that you will have no hesitation in acquitting the prisoner.

The jury, after a short deliberation, and without leaving the box, returned a verdict of—*guilty.*

Chief-Justice.—How, gentlemen—*guilty?* *Foreman.*—

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Foreman.—Yes, my lord, we are unanimously of opinion that the prisoner knew very well how the witness had voted; and that giving *a wink*, after saying that '*a wink was as good as a nod to a blind horse*,' amounted to giving a *nod*—that is, to a confession that he had voted for Grote.

Chief-Justice.—Well, gentlemen, 'tis your verdict, not mine—record the verdict. Prisoner at the bar—you have been convicted, after a patient trial, by an enlightened jury of your country, on evidence which, though it might not altogether satisfy my mind, owing to my ignorance of the language in which the offence was committed, was sufficient to the twelve intelligent gentlemen whose province it is to decide the question. The offence itself is of the gravest constitutional character, and one which, I grieve to say, is becoming of frequent occurrence—nothing less than a blow at that great palladium of British liberty, the secrecy of the ballot. I am happy to persuade myself that you had no deliberate intention of violating the law, and that something may be attributed to the quantity of liquor you had drunk—which, though it cannot extenuate the abstract guilt, but rather, in fact, aggravates it, yet may be admitted as some proof that there was not that degree of premeditation and wilful infraction of a great constitutional principle as would call for the infliction of the extreme penalties of the act. Hoping, therefore, that your future conduct in the exercise of the great and solemn political trust confided to you by the constitution, may justify my indulgence, I shall only sentence you to the lowest punishment provided by the act, namely, that you be *kept to hard labour in Bridewell for three calendar months.*

Prisoner.—My lord, 'tis all an infamous conspiracy against me, trumped up only because everybody knows that I refused to vote for Grote and balloted for Palmer.

We are sorry to add that the verdict and the sentence were received by the friends of the respective candidates, who had ranged themselves in great numbers at each side of the hall, with alternate shouts of approbation and disapprobation. It was with great difficulty that the court was cleared; but the parties came to personal outrages on Clerkenwell Green, and it was not till the police had taken up a dozen of Grote's *ballotters* and as many of Palmer's, that order could be restored. A great deal of exasperation continues in the public-houses on each side, particularly among the Palmerites, who are indignant that one of their friends should be punished for the pretended revelation of a vote that it is notorious he never gave. It is said that nine of the jury ballotted for Grote, and that the three others had not voted. There are several hundred other prosecutions pending, but it is doubtful whether they can be all tried before the next general election."

Solvuntur risu tabulæ—can there be any doubt that scenes like these must be the consequence of any penal enactment on such a subject? And is it not certain that those who have no motive

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for concealment will feel an honest pride (or perhaps a malicious pleasure) in letting it be known that *they* are really independent, and neither ashamed or afraid of avowing their actions and opinions? We should then have our political society divided into two new denominations, who would probably give each other nicknames—such as the partisans of *light* and *dark*—the *shiners* and the *skulkers!* No penal statute—though Draco or Dioclesian were to arise from the dead to frame it—could meet the ten thousand modes in which secrecy could or would be *voluntarily* defeated.

The *involuntary* detection would be equally certain. We will admit, for the argument, though we much doubt the fact, that the mechanical contrivances of the ballot-box should be entirely successful: but there is another mechanical difficulty not provided for, and it is one which will chiefly affect the poorer classes for whose protection the ballot is mainly intended. We are afraid that there are many very honest electors in England who are no great clerks —thousands, we fear, in Wales, and tens of thousands in Ireland, who cannot *write*, nor perhaps *read*. How are *they* to ballot without a confidant—and with a confidant where is the secrecy? But let that pass.

Is canvassing to be prohibited? Mr. Grote says no. Hear then what Sir Robert Peel says:—

'Canvassing is not to be prohibited. All the appeals now made to the prejudices, feelings, passions, interests of the voters, may still be made. And, by the way, why is not canvassing, why are not these appeals, prohibited? According to the principles of the member for the city of London, they ought to be; at least according to the principles laid down in one part of his speech (for he is at direct variance with himself upon this head). In one part of his speech he observed, that landlords would still make an appeal to the reason and affection of their tenants and dependents, and that what he admitted to be the legitimate influence of property would not be diminished. But in another part of his speech he stated that the voter was as much bound to give his vote according to the pure dictates of his conscience, as the witness to give his evidence on oath, and the juryman to find his verdict; and that it was as great an offence to tamper with the vote as with the evidence or the verdict. If this be so, why do you tolerate canvassing?

'But to return. The election approaches. The landlord and his steward, with a long train of friends, will canvass the tenants. Precisely the same appeals will be made, and with precisely the same result. The instances will be rare in which the promise of a vote will not be freely given. The doubtful voter will be asked to stay away; to pair off with the certain enemy. What remedy does the ballot-box give? You contend, that though canvassing is not to be prohibited, it will virtually cease under the system of secret voting, because it will be useless—because no one will think it worth his while to ask for the promise

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promise of a vote, when he is not certain whether the promise will be kept. What an unfounded assumption! If true, what a condemnation of your own measure! for it rests the vindication of secret voting on the imputation of universal dishonesty and universal distrust. Depend upon it, that, in nine cases out of ten, where the voter is subject to influence, and where influence would now be exerted, it will continue to be so. The promise will be asked, the promise will be given, and the promise will be kept. There will be occasionally an ill-conditioned fellow, with a spite against his landlord, or with his head turned by the tirade of the last Radical newspaper, who will break his word; but the general rule will be—the observance of good faith.'—*Speech*, p. 16.

To these unanswerable observations we venture to subjoin another. Did any man ever canvass an elector that he did not at once discover by the man's manner—by the hand readily or reluctantly given—by the decided or the hesitating tone of voice—by the full look or the averted glance—how he was disposed? The tongue may keep a secret, but, unless the elector be a most consummate actor, the eye, the air never can; and this test will be still more unerring after the election; when the squire rides over one of his farms and says to the tenant, 'Well, Frank, I think we brought in Lord Chandos handsomely;' if Frank be not more than Garrick, the squire will know his ballot as well as if he had written it for him.

And then the *ladies!* How is your law to deal with the charmers? We should like to see the clause to restrain female curiosity, or the penalty to be imposed on gossip. Does Mr. Grote hope to make habitual in all the intercourse of domestic life, the reserve which even on single and vital occasions it requires all the nerve of a hero to maintain?—Does he expect that his ballotters will be able to exert for their whole lives a strength of resolution which the gallant Percy could hardly keep for half an hour, and only proposed to keep for one day?

> 'I love thee, infinitely—but harkee, Kate,
> I must not have you *henceforth* question me.
> I know you, wise; but yet no farther wise
> Than Harry Percy's wife; constant you are,
> But yet a woman: and for secrecy,
> No lady closer; for I well believe
> Thou wilt not utter what thou dost not know:—
> And so far will I trust you, gentle Kate!'

Yet it is plain that the great dissecter of the human heart meant to imply that, though so momentous a matter of life and death might—for the lady's own sake perhaps—be kept from her, no secrets of a less importance would have been reserved from *gentle Kate.*

We need not inquire how political secrets may be kept in the

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the higher classes, where there are a thousand circumstances which divest such secrets of any domestic importance; but in the middle and lower orders, where a vote is a matter of rare occurrence and great consequence—where it may (on the hypothesis of the ballotists) involve the welfare of the whole family—where the mysterious danger will add a legitimate and laudable spur to ordinary curiosity—we ask is it possible that the husband's, the father's vote can be concealed from his wife and children? and if it were attempted, where would be the domestic peace, the confidence, the happiness of these poor people?

But if these channels of information should fail, others of a different nature would be employed:—

'Supposing that promises are freely given, and afterwards violated, will the ballot give an effectual protection to the voter against the landlord who shall be disposed to abuse his power—will no suspicion fall on the violators of promises? Is it possible that in a country like this, in which perfect publicity has hitherto accompanied the exercise of the franchise—in which every man's vote is talked of and canvassed—in which the contested election occupies the thoughts, and is the theme of conversation, for weeks before and weeks after it takes place, a man can so regulate his language, his company, his very looks, that there shall be no guess as to his inclinations and intentions—that the *cunning agent* shall have no means of discovering from his intimate associates, from his family, from his servants, from his wife, or, at least, of vehemently suspecting, which is the tenant that has kept, and that has failed to keep, his word? Now, vehement suspicion is no ground for inflicting a legal penalty; but it is a ground on which a landlord, assumed by the hypothesis to be of an oppressive and vindictive character, might harass an obnoxious tenant.'—*Sir Robert Peel's Speech*, pp. 16, 17.

Thus secrecy will undoubtedly fail so far as its proposed beneficial effects—but not so as to its evil tendencies;—Just enough of doubt will remain to make mischief—to stimulate curiosity—to propagate suspicion—and, as far as it may go, to sour and darken the private intercourse of families and societies. At present if a tenant does not pay his rent—if his character is bad—if he does not keep the house in repair, or the farm in heart—the landlord dismisses him without the imputation of a political motive: under the gloomy and suspicious uncertainty of the ballot, such proceedings will be always referred to election differences, and every interference of the landlord will be scrutinised and censured as the result of party vengeance—the ejected tenant will make what he will call his *persecution* a merit with the other side, and the most ordinary transactions of life will be poisoned with political venom—God knows already too active! * Mr.

* Indications of this spirit are already visible. At the late assizes there was a case where a landlord had ejected a bad tenant—the tenant immediately published a malignant

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Mr. Grote says that all unpleasant feelings will vanish when the parties know that the secrecy must baffle their conjectures. We have just shown that there is not likely to be any such secrecy, but, if even there were a much deeper secrecy than any we imagine, does Mr. Grote believe that secrecy allays curiosity—that mystery quiets suspicion? A better judge of human nature is of a contrary opinion:—

> 'He will suspect us still, and find a time
> To punish this offence in other faults.
> *Then all our lives shall be stuck full of eyes!*
> Look how we can, or sad or merrily,
> Interpretation will misquote our looks!'

And as he says in another place of a suspicious temper—

> ——— 'To be once in doubt
> Is once to be resolved.'—

Nay—the doubt would be still more mischievous than the certainty—instead of an open cut, which might be healed and cured, it would become—on both sides—a secret festering sore; and Mr. Grote has wholly forgotten how much—in his own view of the matter—he adds to the landlord's power by removing the check of public opinion; for, as it is supposed that the tenant's vote is secret, the landlord's severity cannot be, with certainty, attributed to it. Such are the inconsistencies in which Mr. Grote's antagonist principles of publicity and secrecy inevitably involve his argument.

This improbability of preserving secrecy, and this impossibility of excluding suspicion, is a sufficient and indeed conclusive argument against the success of the ballot in the first and great object for which it is proposed—the protection of the tenant. To no man would it be an absolute protection, and to every man it would be an eventual danger.

On this worse than failure of the main purpose of the ballot we might rest the case, for we think that all its advocates would agree that, if it did not protect tenants in voting against their landlords, it would do, for their purpose, nothing; but we cannot let them off so easily. We shall not be satisfied with forcing them to a retreat—we hope to be able to *rout* them, and we therefore proceed with other, as we think, not less important points of the case.

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a malignant libel on the landlord—in which, *inter alia*, he alleged that, having voted *four* times as his landlord wished, he at last gave *one* vote according to his own opinion, and that for this single vote he had been persecuted. The matter was brought before a jury—there was not an attempt at justification by the defendant—the allegation was wholly false—and costs and damages vindicated the landlord's character. Can any one believe that, in the state of jealousy and suspicion into which the semi-secret ballot, or even the entirely secret ballot, would throw all parties, such affairs as this would not be fearfully multiplied?

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We have already solicited the particular attention of our readers to a second species of *intimidation*—that indeed which alone can be strictly so called—*intimidation from the mob*—obstructing the election—excluding the voters—defeating and annulling the legal result of the poll. We press this the more earnestly on our readers because, though it is one of the most rational, or rather plausible arguments in favour of the ballot, it has been very slightly touched by the advocates of the remedy. The reason is obvious: it did not suit *them* to show that their exaggerated grievance of aristocratical influence was more than counterbalanced by the very effective one of popular intimidation. 'I would put down *both*,' says Mr. Grote, and no doubt was loudly cheered by the members for Roxburghshire and Carlow—but, though he made this allusion *en passant*, the popular orator took good care not to dwell with much severity on this popular engine; and we do not recollect that any of the other advocates for the ballot ventured to approach this awkward question.

We will; and with—as we trust it will be by and by admitted—perfect candour. We have already avowed our approbation of the exercise of the influence of the landlord—not, of course, of individual hardships, which the temper of men may generate under the best systems—but of the *general principle*, which we think an integral ingredient in the working our constitution, and, what is even still more important, one of the foundations on which civil society rests; but we do not hesitate to say that, if the ballot could effectually exclude the intimidation of the mob, it would go far to reconcile us to the exclusion of the influence of the landlord: we say *go far*, because, as we think the influence of the landlord a positive benefit, while the intimidation of the mob is confessed, on all hands, to be a positive evil, we cannot place them exactly in equilibrio—but we think the aristocratical interest would gain more from the exclusion of *intimidation* than it would lose by the diminution of *influence*. Now we admit that it seems, at first sight, that the ballot would be more efficacious against *intimidation* than against *influence*. The ballot could not effectually defeat the prospective curiosity of keen and intelligent inquirers—but might it not baffle, *for the day*, the mob on the hustings? No doubt a promiscuous and ignorant mob, who should know nothing of the voter's antecedent life and opinions, might be thus momentarily deceived—but there are no such mobs. Election riots are as regularly organised as the operations of an army, and are directed, even in their details, by agents whose experience of former elections, and whose acquaintance with all the details of the recent canvass will, in the large majority of cases, leave them no doubt how the elector means to vote. Will they not point out

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to their bludgeon-men the individuals who are to be obstructed or deterred? 'They can have no certainty,' it may be said, 'how the man means to vote.' Why, frequently that is the case at present—this species of intimidation taking place *before the vote*—but the *suspicion*, the rumour that such a one is likely to vote for a particular candidate, exposes him to as much difficulty and danger as if he had advertised his intentions at the market-place.

But, it will be said, the law will then be powerful enough to protect individuals. Why, then, is it not so at present? The law, we know by experience, is impotent whenever a sufficient quantity of money can be spent or a sufficient quantity of public passion excited. If the law can be made effective, let it be made so now when it is so much wanted; but if not, let us not be told that it can be made so hereafter. Can any one doubt that towards the close of the *ballot* the agents on both sides will have a shrewd suspicion which way the majority is likely to be? and if so, what is to hinder (if individual intimidation shall have failed) a lawless rabble from bursting into one or more of the courts, and seizing, examining, and destroying, if they see fit, the ballot-boxes and the election which they contain? Oh, the law would guard the ballot-box;—why can it not now protect the poll? Suppose the late election in Roxburghshire had been a ballot—suppose (as every one would have known) the result was likely to be favourable to Scott, might not the Elliot mob, with *no more violence than they exerted last autumn*, have taken the hustings by storm and destroyed the ballot-box, pregnant with their defeat? When *all the mischief was done*, Lord Minto, at the head of his *posse*, might come ostentatiously into the town and *restore order;* but where would be Mr. Scott's election? Under the present law a committee of the House of Commons *might* have done him justice; but in this new case the secret votes once destroyed could never be collected again—a new election would only have prolonged the struggle—by that time the great majority of votes would have become as public as the price of meal, and the system of intimidation would go on increasing in a duplicate ratio till Mr. Scott and his friends were driven out of the field altogether. The ballotists may say that such violent infraction of the law is a monstrous supposition. We confess that it would be so but for the examples we have recently had. No man can read the transactions of some of the late elections, and the judgments of the committees who tried them, without being convinced that nothing is too monstrous for a tyrannical majority, and against such a tyranny we see no guard in the cobweb regulations of the ballot.

One provision of the Reform Bill (which was approved by the great

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great majority of the Conservatives, and which they were ready to have adopted if separated from the other provisions of that fraudulent measure) attempted in this particular a considerable improvement, namely, the multiplication of polling-places. That, wherever the legal power is sufficiently strong and properly exerted, is undoubtedly a great check on popular intimidation, but it was stronger in its novelty than it has been since found to be. The last elections were impeded by a degree of violence unknown in any of the preceding elections under the Reform Bill; and the impunity, nay, the encouragement, with which some of these usurpations have been crowned, lead us to apprehend that the power of the tyrannical majority is growing more audacious, and that the multiplication of polling-places will, by and by, be only a multiplication of violences. We do not see—if the law is to be no better enforced than it has hitherto been—why or how the ballot should, in any important degree, diminish these difficulties; and when we superadd the danger of fraud and juggle in the management of the ballot-box, we are, on the whole, driven to the conclusion, that even in this narrow and insulated point it would do little good—at the very best no good sufficient to compensate for its greater and inevitable evils; and we repeat our firm conviction, that, if its advocates had any idea that it would defeat popular intimidation, they would be greater enemies to it than any Conservative of us all.

We now come to the question of *corruption;* and, again, we beg to impress on our readers the distinction between the *two* species of corruption—that arising from *influence,* and that arising from direct *bribery.* Influence is by the ballotists everywhere confounded with that kind of *intimidation* which they attribute to the landlords, and has been already discussed under that head. We think we have sufficiently shown that the ballot would not, in fact, and ought not, in reason, to accomplish their object: it would only, as far as it was successful, substitute a vexatious, inquisitorial, and degrading process, for a system which, though occasionally abused, and even because it is occasionally abused, has, in the great majority of cases, a reciprocally beneficial effect on the landlords and the tenants, and which, at least, has the inestimable advantage of being regulated, corrected, and redressed, by public opinion!

But of the other species of corruption, and that which is really the greatest reproach to our national character and to our representative system—bribery—the ballotists take little notice; they treat it, indeed, incidentally, as they do popular intimidation; just that they may evade the reproach of wholly omitting the very most important point of the case—of enacting Hamlet without the

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the presence of the Prince of Denmark. They content themselves with assuring us in very general terms that no man will pay for a vote which he is not assured of getting, and that secrecy precludes any such assurance.

We have already shown that there could be no secrecy: we add that, even if there were an apparent secrecy, the ingenuity of interested parties would guide them to some confidential and inscrutable means of understanding one another. If we have shown that secrecy was very improbable, even when the principal party wished to keep the secret, we need not waste time in showing that the idea of enforcing secrecy where all parties wish to evade it is utterly ridiculous.

But we go farther; and on this great issue we are willing to put the whole case—in fact, it is the whole case, for every other defect attributed to our electoral system is a trifle compared with this leviathan abuse of bribery.

The ballot will not only not check bribery, but it will encourage it, spread it, and erect it into a system, which no law will be able to detect, and no power to resist—it will make us a nation of venal vassals.

It is impossible to overrate the various mischiefs which bribery inflicts, not merely on our political character, but on our moral condition; and if ballot afforded any rational hope of eradicating it, we doubt whether so great a benefit might not countervail all its disadvantages.

But the clearest proposition in this whole discussion is, we think, that the ballot would increase bribery in an incalculable degree.

First, let us recollect, to the shame of human nature, that—*corruptio optimi pessima*—bribery, in some of its Proteus forms, seems to be a disease incident to every representative system. As long as a place in the legislature shall be a mark of honour, or a road to emolument—the vote of the elector will partake in its subordinate but due proportion of the same character. If a candidate aspires to a seat in order that he may serve the public in a place of 2000*l.* a-year, and if we see that such places do influence *members*, we cannot be surprised that the *electors* should think themselves entitled to a slice of the same pudding: and this is so well understood on all hands, and has grown into such admitted practice—and *particularly of late*, under the auspices of a Ministry which solemnly pledged itself to go on without patronage—that it is notorious and avowed that men are named to State offices on condition that they shall be able to bring themselves, or others, into Parliament—and every man who does bring himself into Parliament, and who votes with the Government, claims *as of right* the

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the patronage of all the offices within the district he represents, for the acknowledged purpose of keeping up his interest by distributing them amongst his voters and their connexions. This traffic is so public that, so far from being ashamed of it, all the parties treat such transactions as a matter of course. This has hitherto been commonly called the influence of the *Crown*—those who look deeper see that it is, on the contrary, part of the process by which the House of Commons has been gradually absorbing all the royal influence. Was it for the benefit of the Crown, or even of the Ministers (though that is a very different thing), that all the influence of the Government should have been given to Mr. Leader and should have ensured his return, whose very first proceeding was to attack the conduct of the Crown and the Government on the important question of Canada, and again on the still more vital one of the Ballot? In fact, the *representative body* is growing to be the *King* of the country, and exercises for its own objects the greater part of that patronage which by a constitutional fiction we still talk of as belonging to the *Crown*. Would any penalty with which you could arm your law of ballot prevent an elector's making application to the candidate or his agent for a vacant place, accompanied by such a confidential statement of his conduct at the late ballot as should satisfy them of his deserts? There might be much falsehood and some mistakes in settling these accounts, but the places would still be all disposed of, and *nine* times in *ten* to the man who had really balloted for the Government candidate. It is not in the nature of men or of things that it should be otherwise.

But transactions of this kind, though they cannot be strictly absolved from the imputation of corruption, are yet of a very different character from the degrading traffic of mere *bribery*. The member who gets the great place, and the elector who gets the little one, both think that they will fill it as much, or indeed more, to the public advantage than a man of the opposite political principles; moreover, they do some work for their salary, and the personal motive which is at the bottom of all is decently veiled to the public and to themselves by some colour of public duty. But in whatever degrees such transactions may be censurable, still it must, we fear, be admitted that they are inherent in any representative government—and the ballot will certainly not diminish the practice, though it may, on the contrary, extend it—for a man who might be so far afraid of public opinion as not to accept a place for an open vote, might be glad of the place when the supposed secrecy of the ballot should remove in some degree the *bargain-and-sale* character of the affair.

Against this kind of corruption the ballot in France and America

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America affords, we are told, no species of obstacle, but indeed the reverse; as to France, we can venture to assert, that it is this influence alone, operating on such large *proportions* of electors and deputies, that enables that government to work even for a single session; and if in England the ballot, or any other measure, were to abrogate this practice, we are convinced that government would become impracticable.

In the case of America we have still more conclusive evidence. First we have, on the points both of secrecy and corruption (indeed they are inseparable), the evidence, most important in every view, of Lord Stanley:—

'But then we are told to look at America, and see how the ballot works there! *I have been in America;* and I confess that what I observed in that country did not lead me to suppose that the ballot is an effectual protection against bribery, or provides satisfactorily for the attainment of secrecy. At every election in America the votes of the individuals are just as notorious and just as much jobbed as they are in England. I have recently received a letter from a friend of mine, of liberal principles, who is travelling in America, in which he says:—"I "see here the practical working of the ballot and universal suffrage— "treating, bribery, and jobbing are the consequences of the former, and "scenes of tumult and violence arise out of the latter. I have not found "one eminent lawyer or statesman in this country who does not, as re- "gards England, lean to the Conservative side, more or less. Federalists, "Nullifiers, Whigs, and Jacksonians all agree in saying 'For Heaven's "sake, take care of what you are about in England. We know the prac- "tical effects of vote by ballot, universal suffrage, annual elections, and "mob force." Honourable members who approve of the ballot say that the voters will have nothing to do but to put their votes into an urn, and no person would know for whom they voted. I admit that secrecy might be maintained if all parties were agreed that votes should remain secret; but you have to contend not only with the secret influence of relations and family connexions, but with the more active influence of Conservative clubs and Reform associations, both of which are determined to ascertain the way in which every man in the country is going to vote. If, under such circumstances, I am told that the ballot will establish secrecy in England any more than it does in America, I laugh the assertion to scorn. I know how elections are conducted in America. In the first place there is a preliminary meeting, for the purpose of ascertaining how every man intends to vote—a proof how much public feeling revolts against the idea of secrecy. This is the first step! What is the next? An urn is placed in a room, at the door of which stands an agent for each of the candidates—one with a blue, and the other with a green ticket; one of which the voter takes, to show for which he intends to vote! I have seen it done a hundred times! I say that this is the practical working of the ballot in America!'—*Speech*, 1835.

Hear Miss Martineau, the amazon champion of democracy:—

'I scarcely

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'I scarcely knew at first how to understand the political conversations which I heard in travelling. If a citizen told another, that A. had voted in a particular manner, the other invariably began to account for the vote. A. had voted thus to please B., because B.'s influence was wanted for C., who had promised so and so to A.'s brother, or son, or nephew, or *leading section of constituents*. A reason for a vote, or any public proceeding, must always be found; and any reason seemed to be taken up, rather than the obvious one, that a man votes according to the decision of his reason and conscience.

'I often mentioned this to men in office, or seeking to be so, and they received it with a smile, or a laugh, which wrung my heart.'

'So much,' adds Dr. Crombie, after quoting this passage, 'for Conscience in a Ballot-box.' Further on he proceeds to state:—

'I have a letter now before me on this subject, from a gentleman resident in that country to a friend in Scotland—a gentleman who was, if I am not misinformed, a zealous friend to the ballot before he emigrated to America, where he has lived now three years. After remarking, "that the clamour about ballot is a sort of *mania*," he assures his friend, that he has attentively watched its working in America—that he has thought much on the subject, and that the result of his inquiries, and personal examination is, the conviction, that the ballot is the grand feeder of corruption, and that there is no protection for liberty, but in the open vote. "I have seen," he says, "scoundrels, who had money to "treat the ballotters with rum, elected to offices, in the republics of the "South, whom respectable men would be ashamed to have intercourse "with. As to its secrecy, allow me to say, that no persons of any party "in the United States speak of the secrecy of the ballot; we hear of its "secrecy only from the politicians of the old country. There is no such "thing." "You may perhaps think," he continues, "that you have "caught me in an inconsistency. You may argue, that, if there be no "secrecy, in other words, if everybody knows how everybody votes, you "have an equivalent for an open vote." "Here," he says, "is one of "the iniquities of the ballot. A fellow, who may have voted for a scamp, "as I have said, if spoken to about it, will deny that he did so, if he find "it for his interest. He knows that his villany cannot be proved, and "he will defend himself by a lie, although it may be as well known as "that the sun shines at noon day, that his vote was in direct contradic-"tion to his declaration." What a picture does this present of moral depravity! What an argument does it furnish against the adoption of the ballot! He concludes with saying, "Converse with intelligent "men of any party in politics who have seen the practical operation of "the ballot, and not merely looked at its theoretical virtues, and they "will unanimously declare the ballot to be infinitely pernicious."'—*Letter*, pp. 26, 27.

This brings us to consider the ballot with reference, in our own case, to the most important of all electoral and, we might almost say, all national and moral considerations—*bribery*.

We begin by repeating an observation which, though it applied to

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to the last topic of our discussion, applies still more strongly to this—that as long as members sell—in whatever shape—their votes to the ministry, the electors will sell their votes to the member; and we are firmly persuaded that the best modification of our existing laws on the subject would be to administer a *bribery oath* to the *member* rather than the *voter*. Putting aside any invidious distinction between the value of oaths in different classes of society, we think we may venture to conclude that the oath which spares a man's purse will be more rigidly observed than that, the breach of which tends to fill it. In the next place, it must be observed that the system of bribery has expanded exactly in proportion as the franchise has been lowered and extended. The French triumph over us, because they are not, they say, tainted with this base corruption by money—that is, not because they vote by ballot—but because—their electoral body consisting only of the 160,000 richest proprietors of the kingdom—they are (in general) satisfied to divide the *patronage;* but if their electoral qualification was lower, and extended to anything like our rates and numbers, we should see *pecuniary* corruption spread, as it has gradually done amongst us.* With us the member gets a place, and distributes the half-dozen places which may be within his patronage at the pleasure of the half-dozen most respectable, as they call and think themselves, of his constituents, while the poorer classes, who are not

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* We suspect that actual *money* is beginning to find its way into the French electoral colleges—certainly *money's worth* has done so very extensively. The great M. Scribe tells us that the history of France is to be read in its *songs*—the reason of this is, that where there is no real liberty of the press—truth can only be told in a song. We have before us a song called—*Le Nouveau Elu—pour un bourg-pourri*—'*The New Member for a rotten borough*'—[the ballot, it seems, has produced *rotten boroughs*—in France].

'A la chambre enfin j'ai mon siége,
En attendant que je sois pair.
Il ne sait pas, mon bon collége,
A quel point mon *mandat m'est cher!*
Puisqu'on m'a nommé, je réponds
De *rentrer bientôt dans mes fonds.*

'Pour railler les sympathies
Quelques badauds sont convaincus
Qu'il faut offrir des garanties....
Je n'offre, moi, que des *écus.*
Puisqu'on m'a nommé, je réponds
De rentrer bientôt dans mes fonds.

'Du préfet la feuille a fait rage,
Il est vrai qu'elle avait taxé
A mille francs, pas davantage,
Son appui désintéressé.
Puisqu'on m'a nommé, je réponds
De rentrer bientôt dans mes fonds.

'La préfète a pris avec grace
Un beau voile avec grace offert;
Maint petit tour de passe-passe
Sous ce voile est resté couvert.
Puisqu'on m'a nommé, je réponds
De rentrer bientôt dans mes fonds.

'Pour avoir la place attendue,
A sec mon coffre s'est vidé.
Cette faveur m'était bien due...
Le prix, d'avance, était soldé.
Puisqu'on m'a nommé, je réponds
De rentrer bientôt dans mes fonds.

'Quelqu'étourdi dira peut-être:
"C'est bien mal placer son argent."
Je dis, moi qui peux m'y connaître,
Que c'est *placer à cent pour cent.*
Puisqu'on m'a nommé, je réponds
De rentrer bientôt dans mes fonds.'

susceptible

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susceptible of *place*, but feel that they have an equal right to share in the spoil, must be *otherwise* provided for.

Bribery is, therefore, as we have before said, essentially a popular, a democratic engine. It may be said that it can only be employed by the rich—on the contrary, we hold that it is chiefly employed against the rich; and that its ultimate tendency is to make the rich poor, and the poor still poorer. A country gentleman with a considerable fortune near a borough wishes to represent it—his custom with the tradespeople—his character amongst his neighbours—give him a predominant weight, and he, or some rival of the same class, would be sure of the election; but an utter stranger—summoned by one of the rival attorneys of the town—arrives two days before the poll, lodges ostentatiously 5000*l.* in the local bank, and, for half that sum, can generally obtain a majority. The country gentleman may be occasionally *piqued* into a similar expenditure, but it is never his interest to begin such a conflict, and, as he has seldom entered into it as a mere pecuniary speculation, he is reluctant to go far enough, and the stranger succeeds for perhaps 1500*l.* or 2000*l.* He then comes to the House, and casts about to bring himself home—*rentrer bientôt dans mes fonds*, as the song says—having *bought* his electors, he considers himself entitled to use the local patronage for his brothers or cousins. If he happens to be endowed with some power of speech, he obtains for himself a commissionership; or perhaps a defeated minister wants a seat, our stranger makes room for his lordship by the acceptance of some office of 1500*l.* a-year—and thus for a couple of thousand pounds secures one or more annuities, which the actuary of an Insurance Company would perhaps value at six or eight thousand:—while the town, which he has thus corrupted, falls into lower depths of demoralisation and profligacy.

This evil is growing every day to a greater height—the vast increase of mercantile and other personal wealth, and the spirit of speculation which has seized the whole country, combined with the reform frenzy and the gradual extension of the suffrage in the classes most liable to corruption, have carried this system to a height never before known. There are already, we believe, near one hundred seats filled by persons who have no kind of connexion with the places for which they sit. This growing anomaly is excused under the pretence that these strangers are recommended to their new constituents by their political sympathies; a flimsy pretext—as if it could be impossible to find some inhabitant or neighbouring gentleman professing the same principles. It is notorious that the majority of these strange displacements are the results of a corrupt influence exercised *by* and *for* the

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the predominant party in the place. There are, of course, exceptions:—a gentleman's parliamentary talents may be so great—he may fill such a space in the public eye, and enjoy so eminent a share of general confidence, that, if by local accidents he should he defeated in one place, others, looking only to his public services, might be proud to re-elect him. But such instances are rare. The general practice is as we have stated it; and it cannot be denied that there has been in activity of late an organized system, by which strange members have been recommended to strange places, apparently as capriciously as if it had been done by lot, but really by a secret influence and understanding of a corrupt character. This is an evil, however, which has mainly arisen out of the ferment of the Reform Bill, and from the practices of a feeble and inconsistent ministry,

'That thrives by shuffling, and subsists by lies,'

which professes to govern without patronage, and which can only protract its dishonest existence by the grossest abuses of patronage and the meanest dependence on local cabals. But this species of conspiracy cannot last long. It would of necessity die with the Government that created it, but it may die before it. If folks do not become wearied or ashamed of such a system, at least local influences and ambitions will arise—some liberal manufacturer of Leeds will think that he has a better right to represent that town than a Cornish baronet, and some honest North Briton—Whig or Tory—will save Sir H. Parnell a journey of 900 miles to visit his constituents.

But the introduction of the ballot would confirm and extend this secret organisation, or, whenever and wherever *this* system should fail, would we think create a new and most extensive system of borough jobbing, in which all motives would be swallowed up in general bribery, and all influences be concentrated in the hands of electioneering attorneys.

In developing this proposition we must, in the first place, observe, that the existing laws against bribery would become a dead letter; however vigorously it might be practised, it would no longer be legally tangible, because it would no longer admit of legal proof. The secrecy which Mr. Grote thinks will prevent a candidate's buying what he cannot be sure of getting—must be, as we have shown, an illusion, even as regards the public; but as between the parties, it will be a most effective *cloak*. Some men, whose consciences are not quite hardened, will, when it shall cease to be illegal, give or take a bribe, about which they might now have some scruples; and many more will be ready to do in the dark what they would be ashamed of in the light. Indeed, the mystery in which it is at present attempted to conceal bribery

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arises less from the terror of the law than the influence of opinion; in proportion as bribery can baffle legal publicity it will become shameless and paramount.

All the *existing* elements of corruption, therefore, will be invigorated and extended: and a new and more efficacious system will be soon superinduced. The doubt of ultimate success is even now the greatest impediment to bribery. Men do not like to spend three or four thousand pounds on a risk of being beaten after all—but there are fifty candidates ready at any general election to give such sums on a *certainty* of success—*no seat, no pay!* This disposition will be the basis of the new system of borough jobbing. The electors—at least those of the lower and most numerous class—will form themselves into unions or clubs '*to consider the qualifications of candidates, and to secure the freedom of election under that glorious palladium of British liberty—the ballot bill.*' In a town with five hundred electors there will perhaps be three hundred who will belong to ten or a dozen clubs. They will hear all the candidate may have to say, and drink as much of his wine or ale as they can get—but no man will infringe the law by giving any promise or even opinion *pro* or *con*. An influential attorney, however,—who is himself a member of one of these clubs, and under whose auspices these strictly legal and constitutional associations have probably been formed—will whisper to each of the twenty or thirty presidents of the clubs, 'I don't ask for any man's vote; I don't wish to know 'how any man may vote; the protection of the ballot must be held 'sacred; every man must be sole keeper of his own conscience 'and his own secret; but if Mr. W. should happen to have the 'majority, I am enabled to say that 300*l.* shall be handed to the 'presidents of each of the ten clubs, to be by him equally distri-'buted amongst the members without any distinction or inquiry, or 'curiosity about which way any individual may have balloted. It 'will be a pure and disinterested liberality of your member, and 'will be given to those who may have balloted against him just 'the same as those who may have voted for him. He will make 'no such illegal distinctions, and all I say is that *union is strength*, 'and that I think we ought to show those two hundred *nobs* who 'do not belong to the clubs that we, the people, have a will of our 'own and power to execute it.'

Who can doubt Mr. W.'s success?

The thing will be managed with different details in different places—more or less openly—more or less adroitly; the rival attorneys of the town will each endeavour to have his clubs, and no one will wish to have more to share the spoil than are just sufficient to win the battle; and, every man's own proportion depending on the fidelity

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fidelity of the smallest requisite number, there will be both a general and an individual interest continually at work. Yet no one needs positively know how any individual votes; all that needs be known is that Mr. W. is elected, and—however the result may have been brought about—three thousand pounds will be distributed amongst the ten associations. There will probably be always some political colour given to the proceedings; men love to put an honest face on even the most corrupt bargain; the town may be almost equally divided between Whig and Tory; the electors will gratify their several political inclinations by electing both a Tory and a Whig—they will flatter themselves that they have thus fulfilled a public duty, and when the election shall be over each member of the club will find twenty or thirty pounds in his pocket, which cannot be imputed as a bribe because no man can tell which way the individual elector voted; and, in fact,—if such niceties were necessary to satisfy their scruples,—it might easily be contrived that each man, by voting only for the candidate he preferred, would contribute,—with a safe political conscience—to the desired result.

The details of sums, numbers, and machinery will be various in various circumstances, but after this or some such fashion will *all independent* borough elections be conducted; and we cannot discover how such a combination can be either defeated or resisted. Something of this kind has been already attempted in certain boroughs, but very imperfectly; for the open voting and the bribery laws are incompatible with that *security* and *certainty* which are the *sine quâ non* of the system, and which nothing short of the *legal* secrecy of the ballot can accomplish; but under that cloak, votes 'will be bought as they buy hob-nails, by the hundred.'

And is it for the risk of results like these—even if they were less certain than we think we have shown them to be—that we are to make such a violent change in our manners, habits, laws, and *Constitution*?

But Mr. Grote tells us that, if the ballot should be found injurious, it will be easy to revert to the old system. Will Mr. Grote in his next speech be pleased to inform us of any instance in the annals of mankind in which a concession to popular power was ever yet revoked, except by a revolutionary convulsion? It is not in the nature of a multitude to seek extrication from a difficulty by retracing their steps. Popular movement cannot retrograde—*vestigia nulla retrorsum*—it will pursue a fallacious phantom of relief into new mazes and labyrinths, and try to remedy the present inconvenience by a complication and accumulation of future difficulties.

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All these considerations were summed up by Sir Robert Peel with great force; and—as his arguments were drawn from the admissions, and, indeed, the allegations of his opponents—with irresistible effect:—

'You tell us that the ballot is necessary for the perfection of past reforms, and for the contentment and satisfaction of the people. The ballot is now proclaimed to be the great, the only measure which can secure liberty of opinion and lay the foundations of concord. I distrust your prophecies. I compare your past predictions, as to the results of great constitutional changes, with your present description of them.

'You told us, a short time since, that the one thing needful for our harmony and welfare was the destruction of nomination boroughs, and the infusion of more of the democratic principle into the constitution and working of the government. Your opinions prevailed,—your views were accomplished. Six short years have passed, and so far is it from your prophecies having been fulfilled, that, *according to your own declarations, reform has been an utter failure;* it has aggravated all the former evils of elections, *there has been more of intimidation, more of expense, more of corruption, since the passing of the Reform Bill* than there was before. There is now, if we are to credit your assertions, no legitimate ground for confidence in the members assembled within these walls. The existing system has lost all title to national esteem;—in fact, we have no representative system. The baneful principle of nomination remains in force. We are described, in short, to be in the last stage of that decrepitude in which the power of Rome crumbled into dust, when the forms of free government were preserved, but all the vital energy was extinguished.

'All these are *your* expressions, not *mine;* your expressions, applied in the course of this debate, to the present reformed representative system of this country. I contrast them with your former predictions, when that very system was under discussion, and when you hailed the measure of parliamentary reform, as the second great charter of national liberty. So will it be with the ballot.

'Six years hence, you will discover not only that it is inoperative, but a positive curse. Then will arise the complaints of new abuses—of new schemes of wholesale and systematic bribery—of payments for votes, contingent upon the successful result of the election—of voters harassed and punished upon bare suspicion—of imputed frauds, and the impossibility of detecting them, if the pledge of perfect secrecy is to be fulfilled. But, above all, will arise the indignant complaint, that the constituent body is a limited and privileged class, protected from all responsibility, shielded by secrecy in the exercise of public functions, enabled, because unchecked by shame or public opinion, to gratify private pique, or, perhaps to profit by the new and secret corruption which ingenious bribery will have devised.

'Then will come the demand, even now plainly foreseen and foretold,—the demand for extended suffrage as the necessary consequence, nay, as the only remedy of the special evils of the ballot,—for suffrage, not circumscribed by arbitrary rules as to residence or property, but for suffrage

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suffrage co-extensive with population, and restricted only, if at all, by the age of twenty-one.

'Thus will you proceed from change to change, one rendering inevitable another, partly from the restless appetite for innovation, growing with indulgence, partly from the impatience—the justifiable impatience—of new and intolerable evils. Thus will you proceed, until the whole principles and character of your constitution and form of government are changed, and a fierce democratic republic is erected on the ruins of a limited monarchy.'—p. 27-29.

What, as to the great principles involved in the question, can be added to this, and what step of the argument can be controverted? It seems to us irrefragable and conclusive.

But there are one or two preliminary details which Mr. Grote chose to overlook, and which Sir Robert Peel did not descend to, but which nevertheless seem deserving of consideration.

As the ballot must of necessity be final, and as no *scrutiny* can ever follow, it becomes a matter of *primary* and paramount importance to ascertain and settle beyond all doubt or difficulty who shall be entitled to ballot—to what hands are to be submitted the final settlement of the registry, or, in other words, the electoral franchise and with it the whole parliamentary power of the empire. The present system of registry—in some cases ridiculously inefficient, in others revoltingly unjust, in all vexatiously uncertain—would not have been tolerated but for the ultimate judgment which it was *supposed* a committee of the House of Commons was bound to exercise on such questions. The revising barristers in England made the most contradictory, and the assistant barristers in Ireland the most incomprehensible decisions, but it was thought the House of Commons was a trustworthy court of appeal. We have seen how committees of the House have already discharged that duty—we will not permit ourselves to expatiate on that point—but we will ask, what will the case be when by the law there shall be no appeal at all, when every man who is registered must be admitted to an unquestionable and irrevocable vote?

It is clear that an entirely new and different system of registry must be established;—and where is it to be found? Is the House of Commons—so jealous of its privileges—to abandon the right of deciding questions of franchise altogether? It must do so; there is no alternative! The House can have nothing to decide but the regularity of the ballot and the qualification of the elected—the qualification of the electors will be wholly beyond its power. Let us suppose the House of Commons to be willing to resign one of its first prerogatives, to whom is it to be transferred? where have we in England an authority, or even the means of creating an authority, to which such a transcendent power could be

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be granted? The French system is our nearest analogy—there they have the *Préfet* answering in station to our Lord-Lieutenants of counties, but differing from them in the important conditions of being salaried officers of the government, holding their places at pleasure, and being, in fact and in practice, changed whenever they happen to displease the minister of the day. The *Préfet* settles the lists, and his decree is final, unless the elector appeals to the Cour Royale (equivalent to our Queen's Bench), whose decision *determines* the right of the elector. Are we prepared to commit these questions to some creature of the ministry with an appeal to the Court of Queen's Bench?

But this is not the whole difficulty. In France the *Préfet's* discretion is very narrow; the right of voting is, as we have stated, altogether dependant on the direct taxes paid; and (though innumerable questions may and do arise even on that simple point of fact) he is in general guided by the receipts of the tax collectors; and when a man produces receipts for two hundred francs of taxes he is placed on the list. Our electoral system proceeds on a different principle. An elector must indeed have paid his rates and taxes to a certain date, but that is not his qualification; the qualification is the *nature* and *value* of his property. Of these there can be no legal and tangible standard; the *nature* of the qualification is a point of law often very abstruse and difficult—the *value* a matter of accident or opinion extremely vague and indefinite.

An English *Préfet* would have no guide on either of these points; and if they were to be determined in Westminster Hall, four courts of Queen's Bench would not suffice for the work. We see no extrication from these preliminary and practical difficulties, but to to change the qualification from *value* to *taxation*.

Is Mr. Grote prepared to propose that? If not, we again request that in his next annual speech he will inform us by what machinery he proposes to ascertain the qualification of those who are to be admitted to the secret and irrevocable ballot.

Again; How are the various incapacities which may take place *subsequent to registry* to be controlled and excluded—how changes of residence—how sale of the property or other defeasance of the title—how the acceptance of disqualifying office? How, again, is the fraudulent personification of the dead or absent to be guarded against? You might enact additional penal laws against unauthorised voters, but could you punish a man for an error on a point of law?—and even if you could punish the wrongous voter, how would that cure the wrongous ballot to which he had contributed, since you never could know for whom the fictitious suffrages had been given?

Thus,

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Thus, then, before we can so much as arrive at the ballot, the material and legal apparatus of our present electoral system must be altered. We must have all the complicated machinery of the ballot-boxes to arrange, and all the officers who are to be employed about them to appoint, and all the regulations which are to guard them from abuse to enact. We must have laws to secure secrecy and to punish revelation; and then all the bribery laws must be repealed—the qualification of electors must be changed—the courts of registry must be changed—the House of Commons must resign one of its most cherished privileges. Practically speaking, the very attempt would be in itself a revolution, for there is no one detail or principle in our whole electoral system which must not be fundamentally altered; and if that should be accomplished (which we trust never could be accomplished), all the other objections stated in the former parts of this article would come into activity. We should then find that the ballot was inconsistent with reason, with liberty, with nature—and the people of England—if they should be mad enough to adopt it—would discover that, like the greedy and stupid clown in the fable, they had killed that CONSTITUTION which had enriched them with such long and unparalleled prosperity, and had rendered them the admiration, the envy, and the example of the rest of mankind!

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